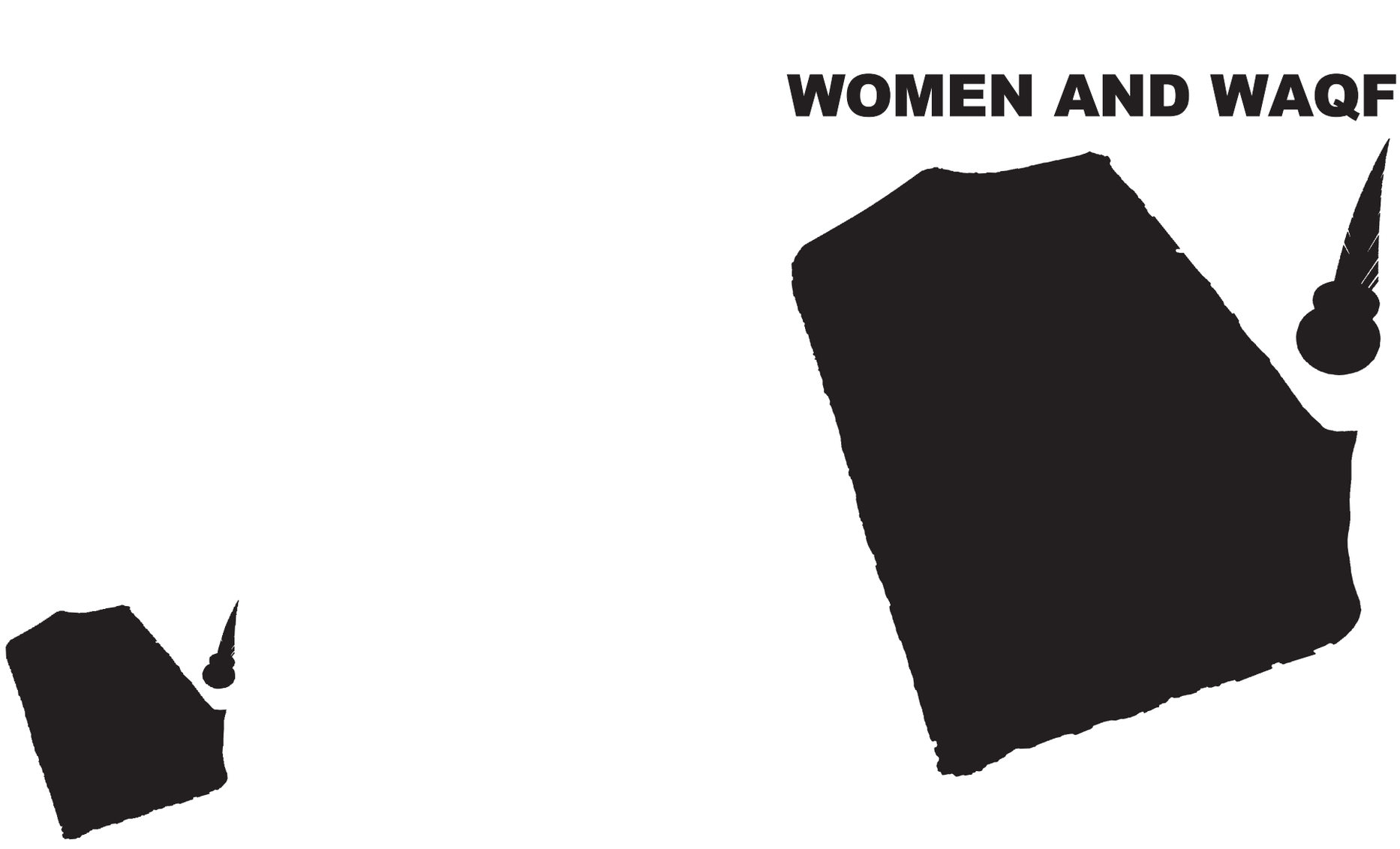
# WOMEN AND WAQF



## Kuwait Awqaf Public Foundation

KAPF is an independent governmental body interested in Kuwait awqaf, and means of investing them and spending their proceeds as recommended by the waqifs within the framework of pertinent legal regulations.

KAPF was established pursuant to the Amiri Decree # 2571993/ issued on 29 Jumada Al Ula, corresponding to 131993/11/. Its mission centers round developing waqf, maintaining it and spending its proceeds through a developed institutional organization and ongoing communication with society.

## Series of translations in philanthropic and voluntary work

This is one of the projects undertaken by KAPF as part of the role entrusted to the State of Kuwait as a coordinating state in the area of waqf as per the resolution passed by the conference of the Ministers of Awqaf and Islamic Affairs held in Jakarta, Indonesia in October, 1997.

## This book

This book highlights the contributions of Moslem women in the area of waqf over the period of Islamic history, stressing the role played by waqf in favour of women and families. It also defines waqf and its types, besides making a history survey covering the pre-Islamic, Islamic and modern periods. In the end, it approaches the role of Kuwaiti women in supporting waqf and the contribution of waqf to the welfare of Kuwaiti women and families.




WOMEN AND WAQF

Iman Mohammad Al Humaidan

1428 AH - 2007 AD

State of Kuwait

Kuwait Awqaf Public Foundation

### A Series of Translations on Philanthropic and Voluntary Work (12)

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**Iman Mohammad Al Humaidan**

*Department of Studies and External Relations*

*1428 AH - 2007 AD*




دولـة الكـويـت
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## In the Name of Allah, Most Merciful, Most Gracious

"By no means shall you attain righteousness unless you give freely of that which you love: and whatever you give, Allah knoweth it well".(*)

**Al Imran Sura, Verse 92**

(*) All Qur'anic translations herein are taken from The Meaning of the Holy Qur'an by Abdullah Yusuf Ali - Amana Corporation, Maryland, USA

## Acknowledgement

To the Waqifs, Men and Women, who contributed to the development of the Islamic Societies over the years

May Allah reward them for their good deeds.

# KAPF Foreword

Waqf, by virtue of being a beneficial, influential, comprehensive and sustainable developmental tool, has left its indelible positive imprint on the development of Islamic societies and emerged as one of the most crucial issues affecting not only the economic activity and social integration but extended also to embrace the academic fields. It is therefore not strange to find waqf receiving all this attention and thoughtfulness from the various governmental agencies, non-governmental organizations and cultural cycles.

Based on the aforementioned trends, Kuwait Awqaf Public Foundation was established as a governmental independent authority following Kuwait nomination as the coordinating state of the waqf file at a pan Islamic level pursuant to a decision taken by the conference of the Ministers of Awqaf and Islamic Affairs held in Jakarta, Indonesia in 1997. Ever since, Kuwait has been working on a number of projects in this domain, as follows:

1 - Waqf Indexes Project.

2 - Developing Waqf Studies and Researches Project.

3 - Waqf Databank Project.

4 - Waqf Cadres Training Project.

5 - Publishing Awqaf International Journal.

6 - Presentation of Waqf Experiences Project.

7 - Waqf Jurisprudential Issues Project.

8 - Waqf Thesaurus Project.

9 - Codification of Waqf Regulations Project.

In its efforts to execute such projects, KAPF has coordinated with the Council of Awqaf and Islamic Affairs Ministers' Executive Board in Riyadh, Kingdom of Saudi Arabia and IBD Islamic Institute for Research and Training in Jeddah. Likewise, KAPF was intent on encouraging all waqf-related studies through scholarships awarded for this purpose, in addition to conducting Kuwait International Contest for waqf researches. Numerous academic publications, including

Awqaf Journal and other academic works related to waqf seminars, translations, theses, books and other relevant studies were published.

The book entitled "Women and Waqf" is translated from Arabic into English and it belongs to the series of translations on charitable and voluntary work aiming at highlighting the role played by waqf in general, and women in particular in serving society. This series of publications belongs to the second project pivoting round the development of studies and waqf researches aiming at creating waqf awareness and encouraging genuine academic research in the area of waqf and voluntary work to realize the sought objectives.

It is source of pleasure for KAPF to publish this series and to make it available to researchers, individuals and institutions interested in waqf.

We hope that this translation will satisfy the needs of readers for whom Arabic is not a mother tongue and that it will constitute a welcome addition to all that is related to waqf and its role in serving societies.

May Allah help us always to provide what is useful and beneficial to our readers.

**Kuwait Awqaf Public Foundation**

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# Introduction

Thanks are due to Allah and praise be upon His Prophet.

As early as the emergence of Islam, Moslem women are known to have been effective members in their societies as history highlights this role in charitable work. Such an attitude is actuated by women's inborn tendency towards well-doing and charitable work. The mother of the believers Zeinab Bint Jahsh (May Allah be pleased with her) set an example through giving charities out of the income of those hand made items to the poor and the needy. Prophetic tradition tells us that the Prophet (Peace and blessings of Allah be upon him) said that the first of his wives to follow him after his death is the one with 'lengthy hands'. When Zeinab died, the wives of the Prophet recognized that she was the one with the 'lengthy hands' and that she was foremost in charities.

Moslem women remained on the lead in the areas of social work, taking the initiative in alleviating the sufferings of others and extending assistance for the sake of developing and promoting their society, motivated by gaining God's good pleasure in execution of the Qur'anic verse: "*Then shall anyone who has done an atom's weight of good, see it. And anyone who has done an atom's weight of evil, shall see it.*[1]"

The institution of waqf in Islam is unique in its type and purposes and in what it has achieved, or may achieve, for the sake of individuals and societies in terms of benefits as well as protection from indigence and poverty. Due to its comprehensive charitable nature, no other system can ever match it as it embraces the various classes of society, with no discrimination between Moslems and non-Moslems. Saffia Bint Hayi ibn Akhtab, the wife of the Prophet, reportedly made a waqf in favour of her Jew brother. On the other hand, Moslems created several formulas for waqf which covered all that is related to charity and God-fearing, starting with water, salt and fire till it reached the establishment of comprehensive developmental projects.

(1) Al Zalzalah Sura, verses 7 & 8

This research aims to feature the relation of women to waqf over the years and the role of each party towards the other. It also seeks to shed light on one important area of waqf which has remained restricted in the researchers' agendas. Despite the vitality of such an issue and its role in highlighting part of our prosperous civilization, reluctance on the part of researchers to approach this subject has always been clear. This can be attributed to the paucity of references scattered in manuscripts centers and Islamic waqf libraries and institutions of the Islamic world.

This research is based on the hypothesis purporting that the relation between waqf and women is a 'reciprocal relation'. As human beings characterized by understanding and awareness, women have always taken waqf as means to their charities and well-doing in recognition of its leading developmental role. On the same lines, waqf, as an economic and social institution and an effective developmental formula, played a crucial role in attending to women and extending help to them in the walks of life. This reciprocal relation, sustained by both parties, was always a source of the nation's prosperity and progress over the years.

The first part of the research introduces examples of Moslem women's contributions to waqf so as to highlight the antiquity and diversity of this contribution by categorizing it into the following areas:

a - Re-construction of mosques and attending thereto.

b - Health Services.

c - Educational Services.

d - Social Services.

In dealing with the above-mentioned areas, we do not claim that this present research is exhaustive in conveying and presenting the models of women's waqf. As mentioned above the sources are few and scattered, besides some of them are unpublished. Therefore, we shall confine ourselves to presenting some examples of the areas mentioned above.

The second part of the book pivots round the contributions of Kuwaiti women, as a model of Moslem women, who spent out of their

own monies on the different charitable areas. Statistical tables and waqf deeds are attached to this part to show that charitable tendency on the part of Kuwaiti women who excelled men, reportedly outshining them in areas connected with mosques and the reconstruction thereof.

The findings of this research show that it would be helpful to conduct a study to determine to what extent it would be propitious to establish a waqf for women which could provide for them, with some additions to serve women, children and society.

Finally, I would like to extend thankfulness and gratitude to Mr. Yousef Al Sharrah who volunteered to revise the book from the shari'a perspective. Thanks are also due to those who helped me with the resources, mainly the Department of Information and Authentication at Kuwait Awqaf Public Foundation, the staff of the Deputy Secretary-General office for Management and Supportive Services who, despite their preoccupation, encouraged me to embark on this work. I hope that, through this booklet, I would have added something new and valuable about women and waqf. I would also like to apologize for any slip a reader may encounter while going through this booklet.

**May Allah the Almighty Guide us in the Path of Righteousness**

# WAQF: Definition and Types

## Definition of Waqf:

Waqf is a genuine Islamic formula which reflects that interaction between the values of faith and the values of development in Islam. These values distinguish the spirit of Islamic societies from that of other societies - that spirit which reflects the role of waqf in maintaining a society's identity and coping with its developmental requirements.

Linguistically speaking, Waqf means *withholding or retaining*[1], *but on the terminological level, it means withholding an asset, which could be a house, an orchard or cash money or the like, so that it would become unsaleable and inalienable while directing its usufruct to a legal channel of spending*.

An owner of a property, house, orchard or cash money or the like may dedicate any to a legal channel of spending on an ongoing basis. In this case, neither the waqif nor the nazir (administrator) of waqf are entitled to sell, offer as a grant or bequeath the asset being dedicated unless its usufruct becomes expired, in which case it can be disposed of provided that its proceeds should go to the same destination[2]. In validating the legality of waqf, Jurisprudents (Faqihs or men of learning) relied on evidence from the Holy Qu'ran, the Sunnah, consensus and reasoning[3]. In the Hoy Qur'an, we read the following verse

"*By no means shall you attain righteousness unless you give freely of that which you love: and whatever you give, Allah knoweth it well*[4] *In*

(1) Kuwait Awqaf Public Foundation Kuwait, 2006 (Definition and Types of Waqf). http://www.Awqaf.org
Waqf nazir is the person in charge of overseeing waqf and managing its affairs in terms of rehabilitation and other repairs.

(2) Al Kandari, Faisal Abdullah (2002)The *Activity of Kuwaiti Women through Waqf Deeds*:Arab Social Studies Magazine, Vol 20, 78 P 15.

(3) Ghanim, Ibrahim al Bayoumi: *Waqf and Politics in Egypt*, Edition 1, Cairo, Dar al Shorouq, P 48

(4) Al Imran, Verse 92.

*this sense, we read the Prophetic tradition: "If a man dies, his work is cut off except three things: an ongoing charity, a beneficial learning of a goodly son praying for him"*[1].

The purposes of waqf, however, are not confined to one's posterity, helping the poor and the needy and spending on the Qu'ran and mosques, but extend to cover schools, students, libraries, orphanages, attending to children, marriage, repatriation of strangers to their homeland, building hospitals, digging water wells, caring for animals, protection of environment and more other activities related to social development and solidarity.

## Types of Waqf[2]:

### Ahli (Thurri or Familial) Waqf:

In this type of waqf, the usufruct goes to specific individuals or their posterity from among the relatives, descendants or otherwise. A waqif (dedicator) may request the usufruct to inure to a charitable agency in case the beneficiaries are extinct. Here, a waqf is initially a familial one, but finally it turns to a charitable one.

### Charitable Waqf:

In this type of Waqf, the usufruct passes to one charitable body or more and spending here is made to bring a waqif nearer to Allah

### Joint (Mushtarak) Waqf:

This waqf is a mixture of both the familial waqf and the charitable waqf.

(1) A Prophetic hadith narrated by Muslim and others: Ministry of Awqaf & Islamic Affairs.
(2) Kuwait Awqaf Public Foundation (2006). http://www.Awqaf.org

# WAQF OVER THE YEARS

Ancient civilizations knew waqf long time ago and ancient records show that people in olden times, irrespective of their religious beliefs, knew some financial philanthropic practices, which come very near to the Islamic concept of waqf. Nevertheless, these practices differ from waqf in terms of purposes, motives and significance. There were some examples of charities and *ahbas*, which were dedicated to places of worship, the poor, the orphans, the needy and the disabled. For example, there were farms and properties whose proceeds were diverted to those charities. Consequently, something similar to waqf in form and content was set up, though different in its purposes and nomenclature(1).

With the emergence of Islam, as early as the epoch of the Prophet (PBUH) until the fall of the Ottoman Empire, Awqaf gained ground, showed a remarkable increase and played a prominent role in establishing a highly civilized Moslem state. Modern civilizations are believed to be complementary to past civilizations which accounts for the West's interest in trust (or waqf) and thereby creates modern formulas therefor. Following is a short historical survey of waqf over the years:

**Waqf and the Romans:**

The Romans held Waqf as a Divine right, so the temples, religious pledges and offerings were inalienable and unsaleable. This fact appears in the record of the Roman emperor, Justinian, which states that 'sacred and religious things are the property of nobody because what belongs to Allah cannot belong to any human being"(2). The Romans spent generously, through awqaf, on charitable works, the poor and the infirm, and viewed such awqaf as different from those of the temples, churches and monasteries.

(1) *Caring for Awqaf in the Kingdom of Saudi Arabia*, Ministry of Islamic Affairs, Da'wa and Guidance - Undersecretary for Awqaf affairs, Research and Planning Unit (abridged) P 22.

(2) Al Kebaisi, Mohammad Obaid Abdullah (2001): *Waqf Regulations in Islamic Shari'a*, Baghdad: Cultural Affairs House, P 25.

**Waqf and the Greeks:**

Ancient Greek civilization showed a keen interest in waqf where revenues were spent on education, places of worship and other religious festivities believed to be highly esteemed by the Greek leaders. As a result of this interest, they supported and encouraged people to dedicate to these religious events because the charitable side was going side by side with their roughness in preparing for dealing with the disabled.

**Waqf and Ancient Egyptians:**

Several types of waqf were known to the ancient Egyptian civilization: there was a waqf for spending on the temples and priests; another for spending on the poor and the needy, in addition to what may be now called Thurri waqf in which nazara is conferred upon the eldest son in each tier. There were awqaf to the sons and grandsons. King Ramsis II reportedly offered Abidos temple vast properties and the rites for conveyance of the same to the temple were carried out in front of vast multitudes of people. Consequently, many people were lured to follow this example.(1)



**Abidos Temple - Luxor, Egypt**

(1) Al Kebaisi, Mohammad Abdullah (2001), *Waqf Regulations in Islamic Shari'a*: Baghdad, Cultural Affairs House, p 24.

**Waqf in the pre-Islamic period:**

Arabs knew waqf before Islam and the first waqf to be known was the Waqf of Ibrahim el Khalil (May Allah be pleased with him) on the Glorious Kaaba. Dedication channels were numerous to the Arabs before Islam as waqf was made to the idols and places of worship and presumably most important of all was that connected with Kaaba Covering which attracted both men and women. It is known that Nabila Bint Habab (the mother of Abbas Ibn Abdul Muttaleb) was the first woman to provide the Kaaba with silk and brocade covering..[1] Consequently, Waqf was known during the pre-Islamic period, but the difference between Islamic waqf and pre-Islamic waqf is that the former was made to win God's good pleasure, whereas the latter was made for show off and boastfulness.

**Post-Islam Waqf:**

As early as the emergence of Islam, waqf has been mainly connected with social development as revealed in the teachings of Islam which call for dedication as a means for getting nearer to Allah the Almighty. The mosques of Al Medina al Munawarra built up by the Prophet are considered the first waqf in Islam. Likewise, the Prophet's companions (may Allah be pleased with them) followed the example of the Prophet so much so that Jaber (may Allah be pleased with him) says that none of the Prophet's well-off companions declined to establish a waqf.[2].

Mosques won the lion's share in waqf in view of their vital role, though this process of dedication was not restricted to mosques (as we mentioned earlier) but extended to cover other areas of public utilities, such as water wells, farms, roads, etc...

During the Umayyad caliphate, awqaf and their channels of spending multiplied so that a special department (diwan) for awqaf, the first organization of its type in the Islamic state, was established during

(1) Caring for Awqaf in the Kingdom of Saudi Arabia, Ministry of Islamic Affairs, Da'wa and Guidance - Undersecretary for Awqaf affairs, Research and Planning Unit (abridged)P 22.

(2) Ibid, p 32

the reign of the caliph Hisham ibn Abdul Malek in Egypt.[1] Consequently, more awqaf and more channels of spending were reported to the extent that three departments were established as follows: 1.the first diwan was for mosques' awqaf; 2. the second department was for the Thurri waqf; 3. the third department was for the awqaf of the two Holy Mosques.

This interest in awqaf continued during the reign of the Fatimids, the Abbasids and the Ottomans until the fall of the Ottoman Empire. During the Abbasids Caliphate, the waqf chief administrator, who was called Sadr El Woqoof, was supposed to supervise the administration of waqf, besides being entitled to designate the employees who would help him carrying out his duties and responsibilities.[2] During the Ottoman era, waqf had administrative units tasked with caring for it and laws were set to organize, manage and define its types[3].

Islamic waqf played a prominent role in economic and cultural development and urbanization. Its effects, as we mentioned earlier, have extended largely to include various aspects of life.[4] Such a distinctive historical role assisted in extending good services even during the periods of backwardness and imperialism[5].

**Awqaf and Modern Civilization:**

European civilization showed a great interest in waqf. In France, a law was passed, defining a charitable work as ' something set aside out of a capital on an ongoing basis to be directed to a special or general charitable work'[6].In Germany, just like many European countries, there was an interest in making waqf on the churches.

(1) Al Akash, Mohammad Ibn Ahmad, the Experience of Awqaf in the Kingdom of Saudi Arabia, Awqaf Journal, Years 3, 4,P 107.

(2) Al Kebaisi, Mohammad Abdullah(2001)*Waqf Regulations in Islamic Shari'a*; Baghdad, Cultural Affairs House, P 39.

(3) Ibid,P 39

(4) Al Fiqi, Mohammad Abdul Qader (2003) *The Role of Islamic Waqf in Development and the Preservation of Environment,* Al Waie Al Islami, Year 5, Issue 456, P 26.

(5) Al Zumaie, Ali, (1993) *Kwaiti Waqf Experience -Towards a Developmental Role of Waqf*, Kuwait, Ministry of Awqaf and Islamic Affairs, P 53.

(6) Al Kebaisi, Mohammad Abdullah (2001*) Waqf Regulations in Islamic Shari'a*: Baghdad,-Cultural Affairs House, P 28.

Similarly, in the United Kingdom, the first waqf bearing those traits of Islamic waqf appeared in 1264 through Walter de Merton, the advisor to King Henry III[1].The U.K is known for dedicating to libraries and universities, for example the University of London, Oxford, Cambridge, etc... In America, cash money waqf is prevalent and it often goes to specific purposes through a system known as Trust through which such monies are invested and their proceeds are diverted to a specific beneficiary[2].

(1) Aref, Nasr Mohammad (2005*), Waqf and the Other: Dialectics of Giving, Containment and Cancellation,* Awqaf Journal, Year 5, Issue9, P 21.

(2) Caring for Awqaf in the Kingdom of Saudi Arabia, Ministry of Islamic Affairs, Da'wa and Guidance, Undersecretary of the Ministry, Research and Planning Unit (abridged), P 25.

# Contribution of Moslem Women to Waqf

Reflecting on the history of ancient and modem civilizations, we see that few are the countries that gave women that esteemed status conferred upon them by the Islamic civilization. This unique status reflected itself remarkably in their generous giving which culminated in being involved in waqf. They assisted in bridging the many gaps in their societies without considering if that contribution will benefit a man or a woman. Nevertheless, that role of women was not restricted to waqf. A quantitative study about major awqaf revealed that 25% of those awqaf were established by women who also accounted for 14% of the nazara over these awqaf.(1) In this context, the wives of the Prophet (PBUH) namely Aisha, Hafsa, Um Habiba, Um Salama, Saffia, and the Prophet's daughter Fatima, Asma'a, the daughter of Abu Bakr (May Allah be pleased with them all)shared men their awqaf and well doing. Some of them played an important role in overseeing waqf and administering it. In his waqf deed, the caliph Omar ibn el Khattab appointed his daughter Hafsa (one of the Prophet's wives) nazir of his waqf(2). Other domains for women involvement in waqf can be put down as follows:*:

## First: Attending to Mosques

The Prophet (PBUH) says, "*From among those things which follow a Moslem after his death are: a learning which he acquired and conveyed to others; a goodly son he survived; a copy of the Holy Qur'an he bequeathed; a mosque he built, a house for the wayfarer he set up; a river he dug or a charity he paid out of his own monies during his life to follow him after his death*".(3)

(1) Al Omar, Dr. Fuad Abdullah (200), *The Contribution of Waqf to Non-Governmental Work and Social Development:* Kuwait Awqaf Public Foundation, P 31.

(2) Al Hejaili, Abdullah Ibn Mohammad (2002) *A Documentary Waqf Study in Islam*: The Waqf Deed of Omar ibn el Khattab, Awqaf Journal, Year 2, Issue 3, P 116.

* The researcher divided the domains of waqf into: Constructing mosques and attending to them, Health services, Educational services and social services. It should be noticed that some domains are overlapped, for example, a waqf is made in favour of a university, with a hospital or mosques attached to it.

(3) Narrated by Ibn Majah. http://hadith.al-islam.com



**Mosque Oqba Bin Nafie - Qairawan**

Mrs. Zumrrud Khatoon, the wife of the Abbasid caliph al Mustadhi'e, constructed a mosque south of the Mustansiria school located on the banks of the River Tigris known as the Mosque of Khafaffin, whose minaret is reported to be the oldest in Baghdad. This woman is known to have been a lover of charity and well doing, in addition to her interest in men of learning and learning.(1)



**Minaret of Al Khafaffin Mosque in Iraq**

Among the rare female awqaf on mosques is that of Mrs. Fatima al Hadhena (died 420 AH-1029 AD) who dedicated a number of

(1) Bamouqgi, Akram, Marwan, Nasrat (translated) (2006): *Wives and Mothers during the Abbasid Palace*. http://www.mesopotamia4374.com/adad2/zawjaat.htm

invaluable books and works, some of which still exist, to Oqba Ibn Nafie Mosque in al Qairawan. A gilded Qu'ran in Kufi handwriting is among those wonderful works.(1)

On the other hand, Mrs. Khatoon, the daughter of Mohammad Bey, the son of the Sultan, built the Mosque of Fatima Khatoon al Kabeer in 974 AH-1566AD. Fatima Khatoon is the wife of the Bosnian leader Lala Mostafa Basha who was the governor of Damascus during the period from 1563-1569AD. She set up this mosque during her tour and the visits to Jenin whose location was appealing to the lady. The mosque was set up on the rubble of an old mosque built during the early days of Islam in 636AD. Several awqaf were dedicated to the mosque, either adjacent to it or in different places(2)Among those who took the initiative to dedicate awqaf to Al Azhar Mosque in Egypt after the death of Mohammad Ali were members of his family, mainly women, for example Princess Zeinab who set up a large waqf in 1266 AH-1860 AD. She recommended that spending on charitable purposes, such as salaries and bread for the Hanafi scholars should be made out of its proceeds.(3)



**Al Azhar Mosque - Egypt**

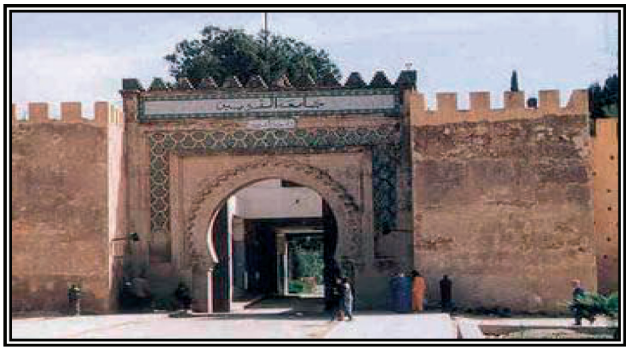
(1) Ashour, Moststafa (2006): *Rabbat el Khodoor: Al Atta'a al Sammit':* Connect to the website http://www.islam-online.net/arabic/history/1422/04/article32.SHTML.

(2) Jenin during the Ottoman rule (2006): Mutah ala Al Rabbit.: Connect to the website http://www.taawon4youth.org/modules.php?name-forums&file-viewtopic&-149

(3) Ghanim, Ibrahim al Bayoumi (1998): *Waqf and Politics in Egypt*, Edition 1, Dar Al Shurouq, P 214.

In his study on Awqaf, Dr. Ibrahim Ghanim referred to the number of awqaf dedicated by women which reached 48 out of 163, i.e., 29.44% of the awqaf dedicated to al Azhar Mosque. It should be noticed here that women accounted for 47.75% of the revenues of Al Azhar according to 1940/41 budget. This, no doubt, shows the immensity of the women awqaf compared to their limited number.(1)

Among the conspicuous examples of the charitable work is that of Um el Banin Fatima Bint Mohammad al Fahri (of the Andalusia origin) in the 13th Century AH who moved to the city of Fez with her family. Her father was a well-off person who died and left two daughters behind him: Fatima and Merriam. Fatima reconstructed Al Qarawiyeen Mosque in Fez in 1245AH - 1829 AD, so far regarded as one of the first universities in the Islamic world. In constructing the mosque, she spent generously. Her sister Merriam built another mosque in Fez.(2)



**University of Qarawiyyeen - Morocco**

## Second: Health Services

Health services took the lion's share in women awqaf as shown in the establishment of hospitals which offered free treatment to poor patients, in addition to establishing waqf on medical education. The

(1) Khafagi, Riham Ahmad (2003): Women Awqaf: An Example of Women Participation in Cultural Progress Studies on the Egyptian case in the first half of the 20th century, P32.

(2) Ashour, Mostafa (2006) *Rabbat el Khudoor. Al Ata'a al Sammit*, http://www.islam-online.net/arabic/history/1422/04/article32.SHTML

mothers and wives of the Ottoman rulers were keen to establish awqaf on hospitals, for example the mother of Sultan Murad III, the mother of Sultan Abdul Majeed, the Sultana Hafiza and Sultana Turiana. The hospital of Sultana Turiana remained in operation until 1927AD.(1) The wife of Sultan Suleiman al Qanuni built a mosque and established a waqf for it. At that time, there were children hospitals, with a full waqf for children to meet their needs, including nurses who attend to children. There were also nurseries for illegal children to extend necessary medical aid and **providing women to suck them(2).**

In Egypt, Princess Ain el Hayat and Mrs. Huda Sharawi were foremost in charitable work; the former solicited the Egyptian princesses to establish Mohammad Ali Foundation in 1327 AH / 1909AD to fight infantile cholera. The idea of the foundation started as a charitable society, teaching girls sewing, in addition to dispensary and a medical awareness center for mothers.(3)

Similarly, another woman, Qut el Qulub al Demardashia, stands witness to charitable work in Egypt. She cooperated with her father Mr. Abdul Rahim al Demardash and raised money to build the reputable Demardash Hospital in Egypt. The land on which Ain Shams University is built is part of the awqaf of this well-doing woman.(4)

Another example is Dr. Zuhaira Abdeen who is known as early as the fifties of the 20th century for her continued sincere efforts in favour of the poor in general and Moslem children, in particular. She established several charitable establishments for children and other social classes, for example **'Friends of Cardiac Rheumatic Children',** Heart and Rheumatism Center in the Pyramids Area, Children Health Institute and a Center for elderly women. The services included widows

(1) Mohammad, Ali Gumaa1993): *Waqf and its Developmental Role*, Semnar of the Ministry of Awaf and Islamic Affairs, p 119.

(2) Ba Dahdah, Ali Ibn Omar (2005): Everything is Free of Charge, Islam on Line http://islameiat.com/main?c-247&a-1967 (August 24)

(3) Ashour, Moststafa (2006): Rabbat el Khodoor: Al Atta'a al Sammit' http://www.islam-online.net/arabic/history/1422/04/article32.SHTM

(4) I Ibid

and foundlings, in addition to a waqf for orphans. The activities of this woman extended to other parts outside Egypt as it established the first medical college for girls in the United Arab Emirates[1].

In Tunisia, Princess Aziza Bint Ahmad (died 1080 AH / 1669 AD) took the lead in charitable work when she dedicated all her property to charities. She established a bimaristan (polyclinic) known as Al Sadeqi Bimaristan.[2]



**AL Mustansiriyya School - Iraq**

## Third: Educational Services:

Education and all that is related to it received due attention from Moslem mothers as a result of their convictions that a society's stability can be secured only through the progress and evolution of education. It is held as an ongoing human investment, which augments human resources development and improves skills and qualifications in the process of the social make-up. Stories about Moslem women and their contributions are plentiful in history, all of which reflect that effective charitable role in developing the Islamic civilization. As an example, we mention here the wife of the Caliph al Musta'sem who built **Al Bashiria School in Baghdad**,

(1) For more details about Mr. Zuhaira Abdeen, see '*Studies on Moslem Women*' on the website:
http://www.muslimwomenstudies.com/chair%20title%20ar.htm

(2) Ashour, Moststafa (2006): Rabbat el Khodoor: Al Atta'a al Sammit'.
http://www.islam-online.net/arabic/history/1422/04/article32.SHTML.

which was a replica of Al Mustansiria School, in which the four schools of Islamic fiqh were taught.[1]

Moreover, Zumurrud Khatoon, the wife of the caliph Al Mustadhi'e, established a waqf on a school to which a hostel for overseas students. To this waqf, she dedicated all her monies. Instructors and jurisprudents were also

appointed to teach the students[2]. In addition to many schools, Shams el Dhuha, the grand daughter of Salah Eddin Al Ayoubi, established the famous al Mutasamia School in Baghdad, which she dedicated to the four schools of Islamic thought (mazahib).[3]

In her book ' *Women Contribution to Book Waqf in Najed* ', Dr. Dalal Bint Mekhlid Al Harbi cited several examples of Moslem women participation in awqaf during the post-Prophetic and post-Caliphate epoch. Sitt el Sham Bint Ayoub Ibn Shadi (died 614 AH - 1217 AD) was the most charitable among women as she established a waqf for two schools in Damascus **(Al Barraniyya and Al Juwaniyya)** which provided students with learning.

Al Dar al Shamsi, the daughter of Sultan Al Mansour Noor Eddin Omar Ibn Ali Ibn Rasoul was known for her love of charitable work. She established **Al Shamsia School** in Taez, in Yemen. She also established a waqf in favour of the Imam, Muezzin, nazir (Qayyem), teacher and orphan learners of the Qu'ran. Another school bearing the same name was built in Zubaid to which she allocated a good waqf. Another example is Merriam (713AH - 1313AD), the daughter of Sheikh Ibn el Afif and wife of Sultan al Muzaffar in Yemen, built the prestigious Al Sabeqia School and appointed an Imam, a muezzin, a Qayyem and a teacher to teach the Qu'ran. There was also a teacher who taught al Shafie School of thought, a demonstrator and some

(1) Al Obaidi, Salah Husain (1983) ' The Institution of Waqf and its Role in Maintaining Islamic Traces and Manuscripts': Seminar on Awqaf in the Arab and Islamic World, Baghdad, Institute of Arab Researches and Studies, P 92.

(2) Bamukji, Professor Akram and Marw4 Bamukji, Professor Akram and Marwan Turkish wives and mothers on te website: http://www.mesopotamia4374.com.adad2/zawjaat.htm

(3) Ba Dahdah (Ali bin Omar) "Everything is Free" on the Internet: http://www.islameiat.-com/main/?c=247/&a=1697

students. She allocated a sufficient waqf to all of them, in addition to building another school in Taez to which she allocated a good waqf. In her research, Dr. Dalal also reviewed the charitable contribution of women through waqf in the Arabian Peninsula in modern times and in Najed in particular. Among the women who dedicated books were Fatima Bint Hamad al Fadhili al Hanbali Al Zubairia, known as Al Sheikha al Fadhilia, who was born and brought up in Zubair (1200 Ah / 1786 AD). She was educated at the hands of some of its sheikhs and manifested an interest in collecting books on different subjects. She left the city of Zubair and settled in Mekka al Mukarrama. She was among the distinguished scholars of the city and dedicated all her books to the Hanbali students. Dr. Dalal extols also the role played by some of the princesses of the Royal Al Saud family who provided students with books and showed interest in promoting the academic movement. An Indian woman known as Sawlat el Nisa'a Begum who came to Mekka on pilgrimage established Al Sawlattia School in 1292 AH.(1) Princess Iffat Al Thunayyan Al Saud, wife of late King Faisal Ibn Abdul Aziz, established Dar Al Hanan School for girl orphans in 1373AH-1955 AD.(2) In the papers submitted to the Seminar of Waqf in the Arab and Islamic World, organized in 1403AH-1982AD by the Institute of Arab Research and Studies in Baghdad, there was an emphasis on the contribution of women to waqf and charitable works, their interest in the academic activities and the perspicacity of their mentality in that epoch. Women recognized those sciences and specializations held beneficial to their societies and followed the example of men who set certain conditions regarding those disciplines to be taught. Adela Khatoon, the daughter of the governor of Baghdad, established her own school and annexed it to her reputable mosque, Al Adelia Grand Mosque, in 1168AH-1754AD. She set a special condition by which

(1) Al Omar, Fuad Abdullah: 'Institutional Structure of Waqf in Arabian Peninsul Countries *'in the waqf system and civil society in the Arab world: Researches and discussions of the Intellectual Forum, Beirut, Center of Arab Unity Studies, P 584*

(2) Al Harbi, Dalal Bint Mekhlid (1419AH): The role of the Saudi Princesses in promoting social and cultural life, an article in Al Jazeera Newspaper.
See website: http://www.suhuf.net.sa/1999jazhd/mar/14/fr.htm

each student should put a badge on his chest, which is equivalent to the university ID which we know nowadays.(1)



**University of Cairo - Egypt**

Princess Fatima Bint Ismail was foremost among women who spent generously on promoting charitable work in the area of education and culture in Egypt. A considerable portion of the proceeds of her waqf was earmarked to support civil and military education in the seat of the Ottoman Caliphate.(2) This woman takes great credit for establishing the Egyptian University (now the University of Cairo) at a time this project came nearly to a deadlock. Once this woman knew that the project was suffering from financial difficulties, she undertook to exert sincere efforts to execute that project. She allocated six acres out of her own best lands for the project to be erected on. Moreover, she allocated 661 acres in Daqahlia governorate out of 3357 acres allocated for charitable work to this project. The university's portion out of the proceeds of such lands amounted to 40% annually.(3) The support extended by Princess Fatima expanded to cover sending talented students on scholarships inside and outside Egypt.(4) In another initiative, Princess Fatima offered her own palace to the

(1) Al Dehayyan, Abdul Rahman (2001) *Islamic Awqaf and their Civilizational Role: Past, Present and Future*, first Edition, Al Medina al Munawara, Dar Al Maathir, P 253.

(2) Khafagi, Riham Ahmad (2003): Women Awqaf: A Model of Women Participation in the Civilizational Progress: *Studies of the Egyptian case during the first half of the 20th century*, Issue4, P 38

(3) On the Internet: http://www.islam-online.net/Arabic/history/1422/04/article32.SHTML

(4) Khafagi, Riham Ahmad (2003): Women Awqaf: A Model of Women Participation in the Civilizational Progress: *Studies of the Egyptian case during the first half of the 20th century*, Issue 4, P 33.

university on which the Agricultural Museum was built thereafter. Mrs. Qut el Qulub al Demardashia, to whom we referred earlier in this book, used to publish books at her own expenses and allocated prizes for talented young men of letters. It is interesting enough in this respect to mention that the first prize awarded to the famous writer Naguib Mahfouz was the prize carrying the name of this woman.(1)

Dr. Zuhaira Abdeen, to whom we referred earlier, established a house for the poor talented university students, in addition to a number of schools for integrated languages and finally she allocated a waqf in favour of the children of Bosnia and Herzegovina(2). History also stands witness to the fact that those who destroyed the countries of Islam turned to be constructors after God guided them to Islam. In Bukhara, the mother of Hulakoo established two schools, each catering for one thousand students, after she had embraced Islam.(3)

## Fourth: Social Services:

Moslem women have always manifested a keen interest in playing an active role in social development through their contributions, which aimed at coping with the social needs which they sensed in their neighborhoods. Islam, as early as its emergence, developed this trend. In this respect, Nafi'e says:" Hafsa, may Allah be pleased with her, bought some jewels for twenty thousand and dedicated them to the women of al Ibn El Khattab. Because she paid no Zakat for such jewels, she used to use or lend them.(4) Similarly, Asma'a Bint Abi Bakr made her own house as a waqf so that it cannot be donated or bequeathed. Um El Mumineen Um Habiba Bint Abu Sufian dedicated a piece of land to her servants and offspring so that this land cannot be sold, granted or bequeathed.(5) During the Abbasid period, the mother

(1) Ashour, Mostafa (2006):Rabbat el Khudoor: Al Atta' al Sammit http://www.islam-online.net/Arabic/history/1422/04/aricle32.SHTML

(2) For more information about Zuhaira Abdeen, See Studies on Moslem Women om the Internet: http://www.muslimwomenstudies.com/chair% 20 title%20. AR.LHTM

(3) Al Dehayyan, Abdul Rahman (2001) *Islamic Awqaf and their Civilizational Role: Past, Present and Future*- Edition 1,Al Medina al Munawara, Dar Al Maathir, P258

(4) Al Qasem, Abdul Malek (2006). See the Website: http://www.kalemai.org/sections.php?-so-va-va&aid-452

(5) Ibid

of the caliph El Nasser established a waqf (Ribat*) in Mekka El Mukarrama in 579 AH - 1183 AD.(1) Mrs. Zubaida Bint abi El Fadhl Jaafar Ibn Abi Jaafar Al Mansour Al Abbasid (Mother of El Ameen) and wife of the caliph Harun El Rasheed played an important role in the area of waqf. She bought the walls and orchards of Ain Hunain, withheld their corpuses, and released their proceeds to provide water for pilgrims. This was called Ain Zubaida. She also established several other awqaf whose proceeds now amount to 1,621,320 Riyals, annually utilized in operating and maintaining the facilities of Ain Zubaida.(2).



**Ain Zubaida - Kingdom of Saudi Arabia**

Another example is that of Khatoon, the mother of the caliph El Mutawekkel who, on hearing about the drying of the river which connects the mountains of Taef and Arafat in the Holy Land, she sent messengers to investigate into the subject and to solve the problem of river out of her own monies.(3) There is the waqf of Hanim Bint Ali Hasan who in 1934 AD allocated a part thereof (five qirats) to the servant of the Zaweya utilized for prayer, the Sabeel and Hawdh used by the cattle and the expenses of the maintenance thereof.(4) Another waqf is that of the mother of the sultans (Walidatul Salateen) and the wife of Sultan Suleiman who allowed commercial goods to be transported onboard her ships heading to Hejaz.(5) Waqf on guest-

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* Ribat is a place for the poor or wayfarers.

(1) Al Harbi, Dalal Bint Mekhlid (2001) *Women's Contribution to Book Waqf in Najed, Riyadh*, King Fahad Library, P3.

(2) Abu Raziza, Omar Siraj (2005): Deceloping and Investing Ain Zubaida: Constructing, Operating and Maintenance. Awqaf Journal, Year 5,Issue,P124.

(3) . Bamukji, Akram, Marwan, Nasrat (Translate) (2006) Turkish *wives and mothers in the Abbasid Epoch*.
See the Website: http://www.mesopotamia4374.comadad2/zawjaat.htm

(4) Ghanim. Ibrahim Bayoumi(1998) *Waqf and Politics in Egypt*, Edition 1, Cairo, Dar el Shurouq, P312

(5) Mohammad, Ali Jumaa (1993) " *Waqf and its Developmental Role -Seminar on Towards a Developmental Role of Waqf*" - Kuwait, Minisry of Awaf and Islamic Affairs.

houses, not to mention its role in boosting bonds of kin and consolidating social ties, played a prominent role in strengthening family status at a local level. Two Egyptian ladies, Ain el Hayat Yousef and Fattouma Abu Mandoor, dedicated in 1913 a 20-acre piece of cultivable land whose proceeds would go to the entertainment of guests. For this purpose, a man known for good deeds should take charge of entertaining guests for a consideration out of the waqf proceeds.(1) Several women diverted their awqaf to those channels which contribute to women's interests.(2)

In a study about the Egyptian case in the first half of the 20th century conducted by Mrs. Riham Khafagi, two aspects were cited about women's interest in developing women. The first aspect approached orphan daughters, whereas the second aspect approached their education and promotion. The areas of dedication were numerous and diverse. The waqf of Mrs. Jalila Tousoun, known as the Orphanage of Mrs. Jalila, the wife of the reputable writer Ahmad Zaki Basha, in 1927 was made in favour of girl orphans. In that orphanage, girls received education through learning the principles of reading, writing, religion and arithmetic, in addition to other skills, for example sewing, cooking and the like. Mrs. Jalila set conditions providing the admission of 15-20 orphan girls as stated in her waqf deed.(3)

Generally speaking and based on their charitable spending tendency, women gave their due attention to establishing **orphanages for boys.(4)** Another memorable example in this charitable domain in famous well-doer Huda Sharawi who established a factory for china

(1) Ghanim, Ibrahim Bayoumi (1998): *Waqf and Politics in Egypt, Edition* 1, Cairo, Dar el Shurouq, P325.

(2) Khafagi, Riham Ahmad (2003); *Women Awqaf:' Examples of Women Participation in Civilizational Progress' - Studeies on the Egyptian case during the first half of the 20th century*, Issue 4, P11.

(3) Ghanim, Ibrahim Bayoumi (1998): *Waqf and Politics in Egypt*, Edition 1, Cairo, Dar el Shurouq, P313.

(4) Khafagi, Riham Ahmad (2003); *Women Awqaf:' Examples of Women Participation in Civilizational Progress*' - Studeies on the Egyptian case during the first half of the 20th century, Issue 4, P24.

and earthenware whose proceeds support the education of orphans and the sons of the poor. Women dedicators (waqifat) were interested in extending various social services, for example helping the poor and enabling poor Moslems to go on pilgrimage to Mekka, establishing guest houses that carried the name of the family to boost social communication. Among the other services were the manumission of slaves and captives, helping poor girls by providing marriage assistance as done by the Tunisian princess Aziza Bint Ahmad, mentioned earlier in this book.(1) Mrs. Hanifa al Salahdar's waqf assisted widows' daughters with their marriage expenses.(2)

Al Jawhara, daughter of Imam Faisal Ibn Turki Al Saud, made a waqf for the adornment of women and providing dresses and some jewels for those girls engaged to marry. Thereafter, this waqf was confined to some make-up items, such henna, perfumes and the like.(3) In Al Maghreb al Arabi, women manifested a remarkable presence in waqf-related domains. Among 1293 waqfs belonging to Tunisian families, 231 belonged to men and 97 belonged to women.(4) A funny example related to waqf is that one established by Mrs. Steita Bint Salem al Namras who dedicated part of the waqf to her husband and provided stripping him of this advantage in case of a second marriage during her life, after her death or leaving Egypt, his homeland.(5)

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(1) Ghanim, Ibrahim Bayoumi (1998*): Waqf and Politics in Egypt*, Edition 1, Cairo, Dar el Shurouq, P325.

(2) Khafagi, Riham Ahmad (2003*); Women Awqaf:' Examples of Women Participation in Civilizational Progress'* - Studeies on the Egyptian case during the first half of the 20th century, Issue 4, P23.

(3) Al Harbi, Dalal Bint Mekhlid (1419 AH) *The Role of Al saud Princesses in Supporting Social and Cultural Life*: An article in Al Jazeera Newspaper http://www.suhuf.net.sa/1999jazhd/mar/14fr.htm

(4) Al Tamimi, Abdul Jalil: *Institutional Structure of Waqf in Maghreb Arab Countries*: Researches and discussions of the Intellectual Seminar (2003): Beirut: Arab Unity Center for Studies, P 499

(5) Khafagi, Riham Ahmad: Discussions on the article dealing second - marriage of men. For more details see Mohammad Abu Zahra: Lectures on Waqf, Cairo, Dar el Fikr el Arabi, PP 276- 281.

# WAQF CONTRIBUTIONS IN BEHALF OF WOMEN

Historically speaking, waqf, with its numerous types reflecting the awareness of the nation (Umma), played a distinctive role in attending to women and providing for their decent life and welfare. Saad ibn Ubada narrates the following Prophetic tradition: "*O Prophet! the mother of Saad Ibn Ubada is dead, so what is the best charity? He said,' Water', So he dug a water well and dedicated it to Um Saad.*[1]

The companions of the Prophet (may Allah be pleased with them) made awqaf in favour of women, for example al Zubair Ibn El Awam made a Thurri waqf, the first of its type. He made waqf of some of the houses, which belonged to him so that they cannot be sold or bequeathed. Their usufruct passed to his sons and divorcees returning to their husbands, but a second marriage forfeits this right of enjoying the usufruct of the waqf.[2] During the Ottoman rule, Moslems had many various awqaf, including two major ones allocated for preparing indigent women who are preparing for marriage.[3]

Historians, however, recall with great admiration the advantages of Salah Eddin Al Ayoubi who provided one of the doors of Damascus Gate with two nozzles: one for milk and the other for sugared water. Mothers used to come twice a week to take their needs thereof.[4] Part of the waqf water wells were allocated to women who could not afford to pay for water providers.[5] Another waqf was allocated to provide replacement utensils broken by servants to evade their punishment.[6]

Waqf also showed a genuine interest in maintaining family ties through the waqf of unhappy wives forced to leave their houses, at a time they had no relatives or they come from distant places. Special

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(1) Narrated by Abu Dawood. Website: http://hadith.al-islam.com

(2) Ba Dahdah, Ali Ibn Omar (2005) 'Everything is Available Free.' Website: http://islameiat.com/main?/?c-247&-1697

(3) Al Ahmad, Naser Mohammad (2006) *Waqf: Nazarat wa Ahkam*; Website: http://www.islamdoor.com/k/wakef.htm

(4) Al Sebaie, Mostafa (1978)*From the Wonders of our Civilization, Edition* 5, Islami Office, Beirut, P:

(5) Al Fiqi, Mohammad Abdul Qader (2003): *The Role of Islamic Waqf in Development and Preservation of Environment*, *Al Wai el Islami,* Year 15, Issue 456, P 26.

(6) Dawaba., Ashraf Mohammad (2005); A *Proposal for Financing through Waqf,: Awqaf Journal*, Year 5, Issue 9, P49.

houses were established for them and attempts at restoring their family life back to normal. This is similar to what is nowadays known as the Offices of Guidance and Social Service[1]. There was another waqf for protecting the wealth of a woman from the encroachment of a husband, son or family[2].The waqf established by Ismail Rifaat in 1867 known as Bab El Khalq Shelter, which catered for twenty poor Moslem elderly women who failed to provide for themselves, is an example made in favour of women[3]. As a top governmental official during the reign of Khedive Ismail, Ratib Basha rejuvenated the hospice of **the poor elderly women** which was originally established towards the end of the Mamluki era and catered for 21 women.[4]

In the Sultanate of Oman, there were awqaf established on Maja'iz or Public Bathrooms whose proceeds were diverted to restoring those bathrooms established mainly for health purposes[5]. However, nowadays new roles have been assigned to awqaf through developmental projects directed to women, for example ' Setting things Right among Disputant Couples ' and 'My Own Effort' conducted by Kuwait Awqaf Public Foundation which will be handled in detail later.

In the State of Qatar, a large financial waqf for medical care and research specialized in gynecology, pediatrics, sterility, diabetes mellitus, myocardial and infectious diseases has been established, in addition to another program for genetics research which is getting underway.[6]

(1) Al Sadhan, Abdullah Ibn Nassaer (2006): Awaqf from a Social Perspective, Ahlan Wasahlan Magazine.
Website: http://pr.sv.net/aw/2006/January/2006/Arabic/brorse.htm

(2) Al Omar, Fuad Abdull (2000): The Role of Waqf in Non Governmental Work and Social Development: Kuwait Awqaf Public Foundation, P 31.

(3) Ghanim, Ibrahim el Bayoumi (1998) Waqf and Politics in Egypt, Edition 1 < Cairo, Dar el Shurouq, P 312.

(4) For more details about hospices (Takaya), please refer to Ghanim, Ibrahim Bayoumi "Waqf and Politics in Egypt, P 307.

(5) Ibid 311.

(6) Qatar Institute or Education and Sciences.
Website: http://www.qf.edu.qa/output/page431.asp

# Kuwaiti Women and Contribution to Waqf

Waqf in Kuwait is as old as the history of Kuwait itself and well-off Kuwaitis used to set up awqaf on charitable and religious channels more than three hundred years ago. Well-doing is indigenous to Kuwaiti people and constitutes one of the noble objectives which Kuwaitis pursue to win the good pleasure of Allah. Similarly, Kuwaiti women showed a genuine interest in waqf in the same way men did. This interest brought about more prosperity and development to waqf and reflected this charitable trend attributed to Kuwaiti women.

Kuwait Awqaf Public Foundation* manifests an interest in documenting the lives of the waqifs (men and women) in the Giving Record of which three issues were published so far. We have gone through these records to get acquainted with women dedicators (waqifat) and to look at those original copies of the waqf deeds kept at the Automated Archive. We have also resorted to the computerized system of the e-waqf form designed by KAPF. After analyzing and studying all those systems and documents and classifying them according to the respective spending channels, we have been able to highlight the roles of some women dedicators as examples of some types of waqf.

In this part, we shall deal with the contributions of Kuwaiti women to the various types of waqf, then we shall handle the role of women in attending to their awqaf.

## First: Familial (Thurri) Waqf:

"*Once a human being is dead, his work is cut off except three things: an ongoing charity, a beneficial learning or a goodly son praying for him*"(1)

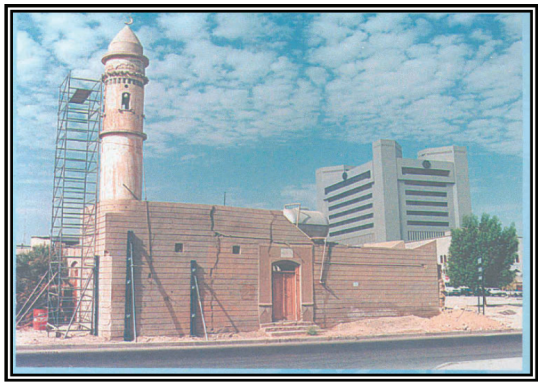
Women contributed to the Familial (Thurri) waqf as shown in the following examples:

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(1) A Prophetic hadith narrated by Musdlim / Al Hafez Al Munthiri, Zakieddin / Al Albani, Mohammad Nasereddin (1969) Summary of Sahih Muslim, Ministry of Awqaf & Islamic Affairs, Kuwait.

(*) KAPF is a govermental charitable organization interested in waqf and waqf related affairs, for example managing, investing and spending waqf proceeds as recommended by the waqifs. Besides, it seeks to develop the society from cultural, civilizational and social perspectives to ease the burden of the needy. For more about this, please see: http://www.awqaf.org

In 1240 AH-1825 AD, Merriam Bint Othman al Qanaie dedicated her house adjacent to Abdul Ilah mosque to her daughter Saleha Bint Ali Ibn Sarri and their descendants and to Taiba and her son.



**Abdul Ilah Mosque - Kuwait**

In 1339 AH-1921 AD, Sheikha Bint Abdullah Ibn Ghanim dedicated her house in Al Mattabba neighbourhood to Mohammad and Duaij, the sons of Khalifa al Dabbous and their posterity(1).

In 1366 AH-1974 AD, Latifa Bint Kulaib al Khudhair dedicated a house and three shops behind Fahad al Salem Street to the posterity of Sultan Ibn Kulaib Al Khudhair.

## Second: Mosques' Waqf:

The waqf on mosques prevailed in Kuwait and this type of waqf expanded to cover attending to Imams and muezzins through allocating residence and salaries for them. This waqf included also the maintenance of such mosques and providing them with the furnishings and furniture.

### a. Building of Mosques:

"*He whoever builds a mosque as small as a bird's nest or smaller, to him Allah builds a house in Paradis*.".(2)

(1) Al Kandar, Faisal Abdulah (2003) *The Activities of Kuwaiti Women as show in the Waqf Deeds*, *Arabic Magazine for Human Sciences,* Vol 20. Issue 78, P 18.

(2) A Prophetic tradition: Website http://www.dorar.net/mhadith.asp

Maleka Bint Mohammad Al Ghanim ordered the mosque of Al Qatami to be built near her residence. She also dedicated two shops adjacent to the mosque, one of which for teaching the Holy Qu'ran and the other as a residence for the Imam. She herself attended to the mosque throughout her life in 1250 AH- 1834 AD.[1] Similarly, in 1419AH - 1998AD Haya Bint Abdul Rahman al Habib dedicated a property in Hawalli area whose proceeds shall go to the mosques which she established. The surplus shall go to the maintenance and restoration of the property.



**Al Qatami Mosque - Kuwait**



**Abu Hulaifa Mosque - Kuwait**

(1) Al Kandari, Faisal Abdullah (2002): the Activities of Kuwaiti Women as Shown in Waqf Documents - Arab Magazine for Human Studies, Vol 2, Issue 78, P 16.

(2) Al Tauba Sura, verse 18

**B. Providing Furniture and Furnishings to Mosques:**

In the Holy Qu'ran, we read the following verse: " *The mosques of Allah shall be visited and maintained by such as believe in Allah and the Last Day, establish regular prayers, and pay Zakat and fear none except Allah. It is they who are expected to be on true guidance*".(1) In 1335 AH-1917 AD, Amena Bint Ali dedicated a house in Al Mattabba whose proceeds shall go the maintenance and furnishings of the mosque of Ibn Bisher al Roomi. In 1348AH- 1929AD, Sara Bint Berges dedicated half of her house to her daughters Sheikha Bint Medhi and Fatima Bint Othman and then to the restoration of Al Sayer Mosque, located in Al Faddagh Neighbourhood.

**b. Attending to Imams:**

In the Holy Qu'ran, we read the following verse:" *Who is he that will loan to Allah a beautiful loan, which Allah will double unto his credit multiply many times? It is Allah that giveth you want or plenty. And to Him shall be your return*(2) In 1330AH - 1912AD, Bezza Bint Ghanim al Jabr dedicated Ain Sheeha (a farm north to abu Hulaifa) with all its trees, wall and annexes to the Imam of Abu Hulaifa mosque, out of which he used to draw his salary.

## Third: Charitable (Khairy) Waqf:

The contributions of Kuwaiti women were diverse to this domain and following are some of the respective channels of spending:

**a. Food and sacrifice meat:**

This means providing food and other foodstuff materials necessary for the needy in all Islamic countries, either collectively or individually. In the Holy Qu'ran, we read the following verse:" *And they feed, for love of Allah, the indigent, the orphan, and the captive, (saying)* " *We feed you for the sake of Allah alone: No reward do we desire from you, nor thanks*".(3) Sacrifice meat means distributing such meat inside and outside Kuwait during the Holy Eid El Adh'ha. In the

(1) Al Baqara Sura, verse 245
(2) Al Insan Sura, verses 8 & 9

Holy Qu'ran, we read the following verse:" *It is neither their meat nor their blood that reaches Allah: your piety reaches Him: He has thus made them subject to you, that you may glorify Allah for His guidance to you: and proclaim the good news to all who do good*".[1]

In 1298 AH - 1882 AD, Eida Bint Salman dedicated her house in al Awazim neighbourhood and a fishing facility (Hadhra or fish trap or weir) to the poor and the needy after her death.

**b. Prayer, Fasting and Reading the Qu'ran:**

In the Holy Qur'an, we read the following verse: "*Those who (in charity) spend of their goods by night and by day, in secret and in public have their reward with their Lord: on them shall be no fear, nor shall they grieve*[2]". In 1326 AH - 1908 AD, Latifa Bint Mohammad al Shamali dedicated a house whose rent would go to prayers, fasting and sacrifice meat.

**c. Break Fast (Iftar) and Pilgrimage:**

:"*Whoever provided food for a fasting man shall have the same reward without reducing his reward*", a Prophetic tradition[3]. In 1420AH - 1999AD, Haya Abdul Rahman Al Habib dedicated her building located in Hawalli so that the proceeds thereof shall go to meals, sacrifice meat and providing food for fasting people in the holy month of Ramadhan. Each of these *nawafil* should be carried out in the mosque of Haya Abdul Rahman al Habib. The reward of these acts shall reach the woman, her parents and aunts.

**d. Providing Fresh Water Free (Tasbeel):**

"*Whoever provides a thirsty Moslem with a drink, Allah will give him a drink on the Day of Judgment out of the sealed nectar; and whoever provides a hungry Moslem with food, Allah will provide him with the fruits of Paradise; and whoever provides a naked Moslem with clothing, Allah will* provide him *from the brocade of Paradise*", a Prophetic

(1) Al Haj Sura, Verse 37.
(2) Al Baqara Sura, verse 274
(3) Hadith Sharif, Sunan ibn Maja - Websitehttp://hadith.al-islam.com

tradition[1]. In 1356AH -!937AD, Sherifa Bint Jabr al Ghanim dedicated a house in Sharq Area in favour of charitable works, for example sacrifice meat to herself and her parents, and to providing fresh water and food free in pursuit of Allah's good pleasure in this world and the world to come. Likewise, in 1417 AH - 1996 AD, Nora Hussein Al Khargawi allocated one third of her estate to charities and philanthropic works which reach her after her death, such as digging water wells in Islamic countries and building mosques or orphanages.

## D: Manumission of Slaves:

In the Holy Qu'ran, we read the following verse: "*But he hath not made haste on the path that is steep. And what will explain to thee the path that is steep? It is freeing a bondman*".[2] Another example is Meitha Bint Misbeh who, seeking Divine reward, freed her slave Bakheet and his wife Warda and provided them with money. Then she dedicated the house, an amount of money and the weirs to their slaves and their posterity in 1263 AH - 1847 AD.[3] Mrs. Hessa Bint Sheikh Humoud al Jassar likewise freed her woman slave Zafarana and dedicated her house to acts of charity and to her daughter Fatima and her woman slave Zafarana. In 1292AH - 1875Ad, this waqf deed was executed.[4]

## E. All Charities:

This term indicates an authorization made by a waqif and appears in his waqf deed to divert his money or any property to any charitable channel which is likely to bring about good and mercy to him after death. In the Holy Qur'an, we read the following verse: "*The parable of those who spend their wealth in the way of Allah is that of a grain of corn: it growth seven ears, and each ear hath a hundred grains. Allah giveth manifold increase to whom He pleaseth: And Allah careth for all and He knoweth all things.*"[5]

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(1) Narrated by Imam Ahmad- Websitehttp://hadith.al-islam.com

(2) Al Balad Sura, Verses 11,12,13)

(3) Al Kandari, Faisal Abdullah (2002): The Actiities of Kuwait Women through Waqf Deeds:Arab Magazinefor Human Studies, Vol 2, Issue 78, P20.

(4) Ibid, P20

(5) Al Baqara, verse 261.

In 1340 AH - 1921 AD, Mrs. Sabeeka Bint Mohammad al Sumait established waqf for all charities in the hope that she, her parents and sister would receive the reward in this world and the Hereafter. Sheikha Moodhi Al Mubarak Al Sabah dedicated one third of her estate to all charities: providing food for the hungry, clothing, shelter for widows and orphans, assistance to the sick and the bereaved.

## F. Attending to the Disabled:

*In the Holy Qur'an, we read the following verse: " By no means shall you attain righteousness unless you give freely of that which you love: and whatever you give, Allah knoweth it well".*(1) In 1403 AH - 1983AD, Mrs. **Munira Ahmad Mohammad Al Awaisi** dedicated one third of her estate to the Kuwaiti Society for the Disabled located in Cairo Street.



**H.H. the late Amir Sheikh Sabah Al Salem Al Sabah lays the foundation stone of the Disabled Society**

(1) Al Imran, Verse 92.

## G: Supporting Students:

"*If anyone travels on a road in search of knowledge, Allah will cause him to travel on one of the roads of Paradise. The angels will lower their wings in their great pleasure with one who seeks knowledge, the inhabitants of the heavens ad the earth and the fish in the deep waters will ask forgiveness for the learned man. The superiority of the learned man over the devout is like that of the moon, on the night when it is full, over the rest of the stars. The learned are the heirs of the Prophets and the Prophets leave neither dinar nor dirham, leaving only knowledge, and he who takes it takes an abundant portion*".(1)

In 1416 AH - 1995 AD, Mrs. Moodhi Sultan el Issa dedicated an amount of KD 50,000 /- (Kuwaiti Dinar fifty thousand only) in support of students.

## H. Caring for Du'at (Callers to Allah):

Narrated by Abi Hazem through Sahl ibn Saad (May Allah be pleased with him) the Prophet said," *I swear by Allah, it will be better for you that Allah should give guidance to one man through your agency than that you should acquire the red ones among the camels**(2) In 1422 AH - 2001 AD, Mrs Dalal Abdullah el Ajeel dedicated an amount of 25,000 /– (Kuwaiti Dinar twenty five thousand only) to the Du'at at Islam Presentation Committee (IPE).

## Fourth: Mushtarak (Joint) Waqf

In the Holy Qu'ran, we read the following verse: ""*The parable of those who spend their wealth in the way of Allah is that of a grain of corn: it growth seven ears, and each ear hath a hundred grains. Allah giveth manifold increase to whom He pleaseth: And Allah careth for all and He knoweth all things*(3) *The Mushtarak waqf is a combination of both the familial waqf and the charitable waqf. Among the prevalent examples of this waqf are the following examples;*

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(1) Produced by Imam Ahmad and Ashabul Sunan through Abu El Darda'a Websi.

(2) A Prophetic tradition narrated by Moslem on the internet: http://hadith.al-islam.com

* Best type of camels

(3) Al Baqara, Verse 261.

In 1285 AH - 1868 AD, Mrs. Fatima Bint Ahmad El Hejaili dedicated her house located in Sharq Area to her daughters Munira and Nora, daughters of Mubarak, and her son Fahad Ibn Mohammad provided that they should act in her behalf in terms of sacrifice and charities and to do all that ought to be done to a dead person by a living one. One third of the house is offered to each of them without discrimination between a male and a female. After the daughters, the property shall pass to the posterity of the son, leaving nothing for the posterity of the daughters.

In 1299 AH - 1882 AD, Nahya Bint Marzouq El Ghareeb dedicated her house to her posterity and their descendants as long as they reproduce, provided that they should provide food and sacrifice meat to her, to her parents and husband Rasheed, and his parents in request for the Divine reward.

**Fifth: Kuwaiti Women Attitude towards their Awqaf:**

Reflecting on the role of Kuwaiti women in the area of waqf, one does not fail to notice that positive and lively sense of the initiative and readiness to do acts of charity and attend to waqf. In this respect, there is an interesting research carried out by Faisal Abdullah Al Kandari[1] in which he touches upon the activities of Kuwaiti women in caring for their awqaf. He cited tree major types of activities, for each of which he provided examples. Here are some of these examples:

- **First:** Most waqf deeds state that women used to go to the judge to register the case of sale, waqf or otherwise in front of him. The following are examples:

In 1285AH - 1868Ad, Fatima Bint Hamad Al Hejaili went the judge Mohammad Ibn Abdullah al Adsani and announced that she dedicated her house to her daughters Munira and Nora, the daughters of Mubarak, and her son Fahad Ibn Mohammad. She recommended them to provide sacrifice meat and charities in her behalf. In her waqf

(1) Al-Kandair, Faisal Abdulla (2002) Activities of Kuwait women as shown in waqf documents, Arab Magazine for Humanitarian Seiences, Volume 2, Issue 78, pp 21-25.

deed, she allocated equal shares for each and, further, she provided that after the death of her daughters, the usufruct should pass to the posterity of her son Fahad. This means that the posterity of the daughters are not entitled to any advantages. Similarly, Fatima Bint Ghanim al Hurais went to the judge Mohammad Ibn Abdullah Al Adsani in Jumada el Ula, 1315 AH, corresponding to February 1917, and dedicated her house to sacrifice meat and meals in behalf of her and her parents.



- **Second:** Women themselves used to carry out sale and purchase transactions related to different properties, whether these are shops, houses or otherwise. Such transactions were carried out by men and women alike or both were involved in one transaction. Examples to validate these facts are numerous, For example, Mrs. Moodhi Bint Butty Ibn Madroush sold her house to Sara Bint Suleiman for 80 riyals. Thereafter, Sara dedicated the house to meals served in behalf of her and her husband Duhaim, then the to the posterity of her daughter Thaqiba. The judge Mohammad Ibn Abdullah Al Adsani put down the sale formula in 1297 AH, corresponding to May, 1880. Issa Ibn Khalil and Iskander were witnesses to the document.

In Rabie Awal 1335 AH, corresponding to 29 December, 1916, Fatima Bint Mohammad Ibn Shalhoub bought from Jasem Mohammad Al Bloushi his house located in Mirqab for 200 rupees and handed over the full price to the owner. Once the house passed to her, she dedicated it to meals and sacrifice meat in behalf of her and her parents.

- **Third:** Kuwaiti women assumed the job of a waqf nazir (administrator) and used to collect the proceeds, maintain the property and implement the waqif's will, for example providing food and meat

and spending the money surplus in charities. There are numerous examples, which stand witness to women who assumed nazara or delegated it to other women, whether relatives or friends.. An example is found in Fatima Bint Ghanim al Hurais who dedicated her house to meals and meat and assumed nazara throughout her life. Thereafter, the nazara was passed to her daughter Nahya Bint Nasser al Khurais and her offspring.

In Shawal, 1329AH, corresponding to July, 1921, Munira Bint Khalifa al Werai'a bought from Khalaf Ibn Abdul Karim el Jabri, as per the power of attorney conferred upon him from his aunt Jawza, the house located in Al Mutran neighbourhood for 80 riyals. She dedicated the house to meals and meat in behalf of herself and her parents. Munira Bint Sheikh Duaij was appointed nazir of this waqf.

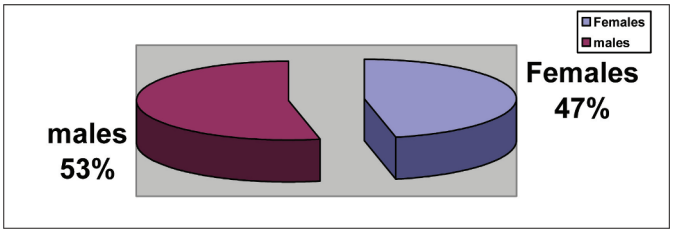
It should be noticed that in some cases women delegated their powers to other women to act in the way they deem convenient on her behalf in respect of a waqf. An example is Al Yazia Bint Awad who granted a power of attorney to Habbaba Bint Sabah, who in turn sold the house of her principal to Khalifa Ibn Ahmad Ibn Sinan for 170 riyals in Shaaban 23, 1321AH, corresponding to November 14, 1902.

## Sixth: Statistics of Kuwaiti Women Contributions to Waqf

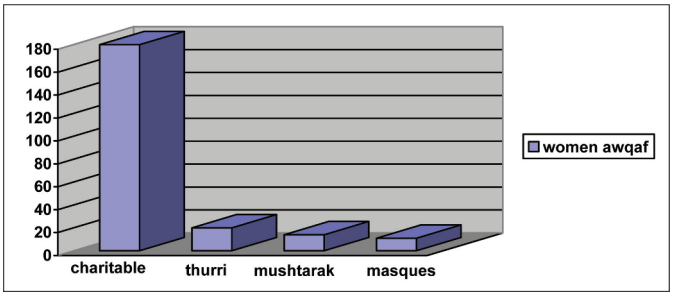
Based on the e-waqf Form developed by KAPF and the type of waqf (Thurri, Mosques, Khairy or Charitable and Mushtarak*), the number of waqifs (men and women) has been calculated. The number of such forms with well-doers, companies and corporations amounted to 549. Well-doers and companies were excluded due to the difficulty in identifying the gender therein, the number of awqaf amounted to 481, out of which 256 are for men and 225 for women. The percentage of women waqifs as indicated in this statistics is 47%, which indicates a truly high percentage on the part of Kuwaiti women in the area of waqf. In this respect, see Figure 1:

* Some awqaf indicated in the waqf deed do not refer to the type of waqf.

**Comparison between the number of Men and Women Waqifs**




| Males | 256 | Females | 225 | TOTAL | 481 |
|---|---|---|---|---|---|

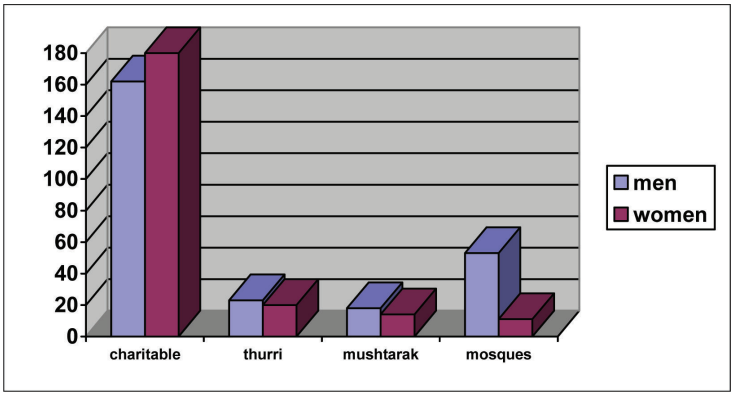



| Type of Waqf | Female Awqaf | Percentage |
|---|---|---|
| Charitable | 180 | 80% |
| Thurri | 20 | 8.89% |
| Mushtarak | 14 | 6.22% |
| Mosques | 11 | 4.89% |
| Total | 225 | 100% |

Looking at Figure 2 dealing with women awqaf according to the type of waqf, we notice that women awqaf in the area of Thurri waqf amount to 20, i.e., 8.89% of the total number of this type of waqf. Meanwhile, women awqaf on mosques amount to 11, i.e., 4.89%. This stands in sharp contradiction with the women charitable waqf which amounted to 180. Furthermore, the number of Women Mushtarak waqf is 14, i.e., 6.22%.

From the above-mentioned statistics, we notice that there is noticeable tendency on the part of women towards charitable waqf. Women usually have a strong passion towards the poor, needy, orphans and other charitable domains. This tendency towards the charitable domain in women is higher than their tendency towards the Thurri waqf, often held by many that it gains priority in women.

Figure 3 draws a comparison between the numbers and percentages of women awqaf to their total number, in addition to the percentage of men to their total number divided according to the type of waqf. It is noticed that women involvement in charitable waqf is higher than that of men, taking into due account that women involvement out of their total number reaches as high as 80 %.Men involvement, however, is 63.28 % out of the total number. Men take precedence over women in mosques' waqf in which men capture 20.7% versus 4.89 % for women.




| Type of Waqf | Women | Percentage |
|---|---|---|
| Charitable | 162 | 63.28% |
| Thurri | 23 | 8.98% |
| Mushtarak | 18 | 7.03% |
| Mosques | 53 | 20.70% |
| Total | 256 | |

| Type of Waqf | Women | Percentage |
|---|---|---|
| Charitable | 180 | 80% |
| Thurri | 20 | 8.89% |
| Mushtarak | 14 | 6.22% |
| Mosques | 11 | 4.89% |
| Total | 225 | |

With respect to women awqaf according to the specific channel of spending, KAPF statistics indicate the sacrifice meat comes first in charitable spending channels, followed by providing food, then comes third all charities, followed by other channels in which women used to show interest and care for.

# Waqf in Behalf of Kuwaiti Women

This study approaches that reciprocal relation between waqf and women. We have already dealt with the role of Kuwait women in the area of waqf. Alternatively, there are many domains in which waqf was helpful to women. KAPF has undertaken several developmental projects in behalf of women, for example:

## First: My Own Effort

This is a family-related project undertaken by the Ministry of Social Affairs and Labour in collaboration with the KAPF Waqf Fund for Social and Scientific Development*. It aims to provide training to those social categories which receive assistance form the Ministry of Social Affairs and Labour, including divorcees, widows, old maids, modest families. This training centers round getting those people to acquire certain skills through joining training courses conducted by My Own Effort project to reach self-sufficiency. In this respect, we must recall the Prophetic tradition,: *Nobody has ever eaten a better meal than that which one has earned by working with one's hands. The Prophet of Allah, David, used to eat from the earnings of his manual labour*".(1)

## Second: Setting Things Right Among Disputant Couples:

Civilized countries are interested in promoting family awareness held by society members as one of the main pillars for protection against the threats that endanger family life. To this end, awareness campaigns are conducted via different media. People in charge of extending familial guidance felt the necessity for setting up this project called Setting **Things Right Among Disputant couples** through KAPF Waqf Fund for Scientific and Social Development. The Fund aims to minimize divorce cases, advocate reconciliation and setting things right among couples, besides disseminating familial awareness among the

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* Waqf Funds are moulds enjoying relative independence and are interested in calling for waqf and waqf activities, each in its respective area. This is carried out through an integrated vision which observes the needs of the society and priorities. It also takes into consideration the activities undertaken by the governmental and non-governmental agencies. For more information, see Waqf Funds - KAPF - Kuwait-Nov 1996, P4.

(1) Prophetic Tradition, Fat'h Al Bari on the Internet: http://www.hadith.al-islam.com

society members. The program assists in getting them to acquire certain skills, which help them overcome the problems they are likely to encounter. Cases are also followed up after settlement of differences or after divorce.

### Third: Guidance Center

Many people fail to go successfully in this life at a time things are getting more complicated, not to mention the adverse effects the Iraqi vicious invasion left on the people of Kuwait. Getting acquainted with the means of success and overcoming crises require rich and lengthy experiences which people may stand in need of. To this end, KAPF appointed a number of counselors and specialists to extend assistance to those people suffering from psychological, social or educational problems. In addition to those projects, women come up to occupy prestigious positions through the Waqf Funds and Projects, which extend assistance to the various categories of the society, including women. The Contest for the Holy Qur'an and Reciting is available to males and females. In extending its services, the **Waqf Fund for Health Development** attends to health and to people with special needs without discrimination between males and females. Similarly, there is the Student Project which extends assistance to male as well as female students.

# CONCLUSION

Through this research, I have tried to present a documented overview of women-waqf relation, laying emphasis on the contributions of Kuwaiti women. It has been made evident in this research that the high awareness which Moslem women enjoyed reflected itself in their attitude towards waqf as an effective developmental tool. Women have assisted in pushing the wheel of development and their women awqaf expanded to embrace mosques, and attending thereto, educational, health and social services which may fall under all charities.

It was an enjoyable journey in the world of the pioneering Moslem women, our mothers and grandmothers who set unparalleled examples of charities and well doing. In spite of the lack of references on this subject, I feel that I have, through Allah's Grace and blessings, presented something valuable. Through this research, I would like to stress the importance of the following conclusions and recommendations:

1 - The positive attitude of Moslem women and their responsiveness to the needs of their societies. They played crucial roles as early as the emergence of Islam. We can also sense that encouragement of the Islamic society to women in the area of waqf.

2 - The diversity of women contributions to waqf as their awqaf embraced all charities, for example constructing and maintaining mosques, health, educational and social services which are essential for the society and addressing the requirements of the age.

3 - There is a mutual relation between waqf and women as women enriched the waqf potential through their awqaf.

4 - Speculating on the waqf deeds and based on the respective studies at KAPF, we notice that both men and women enjoy that tendency towards charitable waqf. On drawing comparisons, we find that that the tendency towards charitable activities is higher in women, whereas men are more attracted to dedication to mosques and their construction than women. This may be attributed to that daily spiritual relation between man and mosque, whereas the kind and merciful nature of a woman and

her nearness to her family make her more sensitive to the needs of her society.

5 - The paucity of academic studies on women contributions to waqf calls us to encourage researchers to approach this topic, taking into consideration the growing interest in waqf studies. This can be achieved through contests, prizes and other means suggested by waqf centers worldwide.

6 - The recommendations focus on forming a study to assess the needs for establishing a waqf for women, whose aims are the following:

   a - Improving the status of women at the social, educational, cultural and professional levels.

   b - Utilizing the women's potentials in the process of social construction.

   c - Extending support to the governmental and non-governmental agencies involved in women-related activities.

   d - Establishing centers for women studies and researches in the hope of monitoring the needs of women and providing statistics about their social, political and economic status.

   e - Encouraging women's initiatives and recognizing creative women.

In addition to all that has been mentioned before, we should point out that policies must be set to avoid any duplicity in the activities conducted by other funds. This will ensure that there will be an integration with the programmes conducted by other women-related governmental and non-governmental agencies.

In conclusion, I hope that I have managed to provide an idea about the contributions of women to waqf and the role of waqf in attending to women-related issues. I wish also to view this research as a starting point, which, hopefully, will lead to other more specialized studies in the hope of enriching our libraries in this domain.

May Allah the Almighty Guide us in the Way of Righteousness.

# WAQF DEEDS APPENDIX



بسم الله

حكومة الكويت

حضرة صاحب السمو حاكم الكويت

وزارة الأوقاف
قسم تسجيل العقارات
سجل بالسجلات الأهلية
جلد ٥ رقم ١١٨
تاريخ ١٩٦٦/٢/٢٧م ١١٩

## ادارة التسجيل العقاري

وثيقة تملك رسمية

عقد اثبات شراء للوقف

رقم الطلب ٤٦٤-ت
وتاريخه ١٩٦٦/٢/١٦م

رقم ايصال الرسوم ٨٠١٢ ر.ص
قيمه الرسوم المحصلة ١٠ الف روبية
عدد الشيكات ١٢٥
وتاريخه ٢٠/٢/١٩٦٦ بنك

رقم التصديق ٤٩٩
مجلد ٥
وتاريخه يوم الخميس ٢٤٩٥
ملحق ٢٦ يناير ١٩٦٦

## التسجيل النهائي

تحول برقم ٤٨٢٧
بتاريخ ١٩ شعبان ١٣٧٥
الموافق ٢١ مارس ١٩٥٦
مدير ادارة التسجيل

ثبت لدى ادارة التسجيل العقاري لحكومة الكويت بموجب قرار المحكمة الشرعية بالكويت المؤرخ ٢٠/٥/١٩٥٧م الموافق ١٢/٧/١٣٧٦هـ رقم ١١٧ أدناه الحكمة الشرعية بالكويت اشترت سيدة عبد النبي عبد المجيد ولدى الحاج سيد عبد الرحيم سيد علي نقي وكالة آل سيد عبد المطلع مدير دائرة الايتام والقاصرين بصفته وصياً على القاصرين يوسف كاسب وعبد المجيد وطالب وليدية اولاد الحاج سيد عبد الرحيم سيد علي نقي البيت الواقع في محلة مسجد السيد الذي طوله شمالاً وجنوباً ستة وتسعون ذراعاً وعرضه شرقاً وغرباً ستة وثلاثون ذراعاً يقع البيت بيت سيد سيد عبد اللطيف الجنوبي طوله شرقاً وغرباً خمسة عشر ذراعاً وعرضه شمالاً وجنوباً أحد عشر ذراعاً أمتار المجموعة بيت جاسم العلاك الجار لهذا البيت شمالاً: بيت يوسف بوحميد والجار الآخر شرقاً: بيت هاشم السيد علي والجار الرابع غرباً: الطريق العام حدوده بذلك عادم الرشتي بحالة وتحدده ستة وستون ذراعاً بالذراع المعتبر بالكويت وقد اشترى حضرة كريم عبد الله الشايع بهم هبيب بهم غلوم كاظم محمد بالوثيقة رقم ٢٩٢ جلد ١٢ تاريخ ٢٤ ربيع الثاني ١٣٦٨هـ.

اشترت المحكمة الشرعية بالكويت هذا البيت وصيرورته وقفاً لبيت رقم ٤ بمربع بيت عقاد بمربعات الصناعي الموقوف منها على انتفاع المقيمة فيه على سبيل السكنى وبعد وفاتها تؤجر ويصرف ريعها لذرية علي ابنة ولد صالح بن كاظم محمد الرشيد ثم لذرية ذرية شايع بن ناصر الشايع والشايع هذا هو عبد الله بن محمد المساعد الشايع انتفاع جزء منه على بدل الاجارة المقدرة بتاريخ ٢٤ عبد اير ١٩٥٤م رقم ١٠٥٨ الجزء الآخر على الشيخ بن بهبة عيسى بتاريخ ٢٤ عبد اير ١٩٥٤م رقم ١٠٥٩.

وصدرت هذه الوثيقة بناء على كتاب البلدية المؤرخ ١٩٥٥/١٢/١م رقم ٥٨ على ان عليه صيار ثمن البيت وقفاً بدل البيت الموقوف المذكور واعلاه محكمة الحكمة وبرئ جلد كشر جلد.

القصد من هذه الوثيقة



وثيقة تملك رسمية

ثبت لدى ادارة التسجيل في الكويت لصدور ورقة من المحكمة الشرعية رقم ٥٤٤ وتاريخ ٦ ذي القعده ١٣٦٦ هـ أن البيت الواقع في القبله في الجنوب الغربي من محلة مسجد مرزوق الداود البدر المحدود قبله بيت ناصر بن احمد سليمان الهلال وشمالا الطريق النافذ وشرقا بيت محمد بن ناصر بن كعي وجنوبا بيت ورثة بلال مولى رشيد والبدر كما بالة الا الشرقي ملك حسين بن احمد سليمان الهلال كما هو ثابت في وثيقة التملك الصادرة من ادارة التسجيل في الكويت بتاريخ ١٤ شعبان ١٣٦٦ هـ المسجله جلد عاشر رقم ٦٥٥ المصدقه بامضاء وختم حاكم الكويت المعظم الشيخ احمد الجابر الصباح وبتاريخه حضر المحكمة الشرعية حسين بن احمد سليمان الهلال واقر ببيع جميع البيت الموما اليه على مساعد بن عبد العزيز الكليب وعبد الله بن مشاري الكليب من رعايا حكومة الكويت بمبلغ قدره وعدده ثمانية الاف روبيه اقر البائع بالبيع وقبض الثمن وقبل مساعد هذا الشراء لصالحه عن نفسه ونيابة عن أولاده خالد وسعود وشيخه كما قبل عبد الله هذا الشراء لصالحه عن نفسه ونيابة عن أخوانه عبد العزيز ومحمد وعبد اللطيف وشريفه وحصه وسبكه وطلبه على ان يكون هذا البيت وفقا بدلا من البيت الموقوف على ذرية سلطان بن كليب الخضير من قبل عمتهم لطيفه وعليه صار هذا البيت المذكور وقفا صحيحا شرعيا تحريرا في اليوم السادس من شهر ذي القعده سنة الف وثلاثمائة وست وستين هجريه

بسم الله الرحمن الرحيم

رقم الوثيقة: ٩٤١٧
التاريخ: ١٩٩٨/٧/٢٢

# وزارة العدل

إدارة التسجيل العقارى والتوثيق

## عقد إثبات تملك بموجب حجيه وقف

ثبت لدى إدارة التسجيل العقارى والتوثيق أن **العقار الواقع فى حولى وهو يمثل القسيمة رقم ٥ من المخطط م/٣٢٩٤٩ قطعه رقم ١١٨ ومساحته ١٠١٤ م٢الف وأربعه عشر مترا مربعاً وأوصافه بنايه سكن استثمارى كثافه عاليه والحدود طبقاً للمخطط المذكور** ***

**ملك / هيا عبد الرحمن على الحبيب بموجب العقد رقم ١٩٩٨/٨٥٧٧ ***
واستناداً الى حجيه الوقف الصادره من المحكمه الكليه ادارة التوثيقات الشرعيه برقم ٢٦ بتاريخ** ١٩٩٨/٧/١١ فقد ثبت بموجبها ان هيا عبد الرحمن على الحبيب أوقفت وحبست العقار عاليه وقفاً ينفق من ريعه على مصالح المسجد الذى أنشأته فى الجابريه قطعه رقم ٩ والمعروف باسمها ومازاد عن ذلك ينفق فى صيانة واعمار وتجديد عقار هذا الوقف ضماناً لاستمراريته وبقائه وقد عينت الواقفه الامانه العامه للأوقاف ناظرا على هذا الوقف تدير شئونه وترعى مصالحه بما يحقق الشروط المذكوره واذا تم بيع اوتثمين هذا العقار فعلى ناظر الوقف شراء عقار بديل يكون حكمه كحكمه وشرطه كشرطه ***

حضرت الواقفه رقم مدنى ٢٣٥٠١٠١٠٠٩٣٣ وأقرت **بموافقتها ومصادقتها على ماذكر وتسجيل العقار عاليه باسم جهه وقف هيا عبد الرحمن على الحبيب الخيرى بنظارة الأمانه العامه للأوقاف** وان ليس على العقار اعلاه حقوق للغير ***

بعد التوقيع على هذا العقد من قبل أطرافه وبعد استكمال الاجراءات المقرره **يصبح العقار عاليه ملكاً إلى / جهه وقف هيا عبد الرحمن على الحبيب الخيرى بنظارة الأمانه العامه للأوقاف بموجب ماذكر** ***

حرر هذا العقد بناء على طلب أصحاب الشأن وكتاب البلدية رقم أ ف ٣٠٨/٢/١٣/١ - ١٩٩٨/١٣٧٦٩ ***

المقره ماذكره /

هيا عبد الرحمن على الحبيب

تم التصديق على الأصل

074221



وثيقة تملك رسمية



صفحة ١٩٧

الحمد لله سبحانه

دائرة الأوقاف
٦٨
العامة

حلية

ثبت ماذكر لدي وانا العبد الفقير
عبد الله بن هلال العدساني









بسم الله الرحمن الرحيم

الحمد لله الواقف على الضمائر والمطلع على ما في السرائر والصلوة
والسلام على محمد وآله السادات الاوائل والاواخر اما بعد فلما عث
لتحرير هذه الورقة الشرعية هو انه قد حضرت المرئة العاقلة
الرشيدة الحاجية لطيفه ابنت المرحوم الحاجي محمد الشمالي وهي
على حالة تصح منها جميع التصرفات الشرعية واوقفت بيتها
الكائن في بلد الكويت المحدود بالحدود الاربعه فيحده من القبله
بيت عيسى بن غنّال وبيت ابي جروه ومن الشمال الطريق السدو من
الشرق والجنوب الطريق النافذ وقد جعلت اخاها عبد المحسن
وكيلا على ذالك بان يخرج لها من اجرته بعد موتها صلاة وصوا
وختمات واضحيات وغير ذالك فهو الوكيل في الحياة والوصي
بعد الممات وقفا صحيحا صريحا شرعيا مشتملا على جميع
المصححات الشرعية بلا منازع ولا معارض حتى لا يخفى
جرى ذالك وصح عليه الاشهاد وحرر باليوم السادس
والعشرين بعد الالف والثلاثمئة من الهجرة النبوية على مهاجرها
وآله افضل الصلوة والسلام وازكى التحية


حاكم الكويت
حكومة الكويت
ادارة التسجيل العقاري
وثيقة ملك رسمية
عقد بيع
دائرة الاوقاف
رقم الطلب ٨٨٩٩
وتاريخه ٢١ غشت ٩٥٥
رقم ايصال الرسوم ٢١٧٧٦ مجلد ٥٥
قيمة الرسوم المحصلة بالقومسيارية
وتاريخه ١٧/٩/٩٥٥
رقم التصديق ٧٩٥
التسجيل النهائي
تسجل برقم ٢٢٢٦
بتاريخ ١٠ غشت ٥٧٧٥
الموافق ٧٠ سبتمبر ١٩٥٥
مدير ادارة التسجيل

نموذج رقم ١٢٥/١

الرقم ١٨٥

التاريخ ١٩٩٦/١١/١٩م

الموافق

بسم الله الرحمن الرحيم

وزارة العدل

اعلام رسمي

وصيـــــه

حضرت لدى المحكمة الكلية ادارة التوثيقات الشرعية / نوره حسن يوسف الخرقاوى وتحمل بطاقة مدنية رقم ( ٢١١٠١٠١٠٠١٤٤ ) واقرت وهى فى حال صحتها وكمال عقلها قائله انى اوصى بالثلث من جميع مخلفاتى حين وفاتى على يد الامانه العامه للاوقاف ينفقونه فى وجوه الخيرات والمبرات وصل الاحسان وفى كل فعل خيرى يعود نفعه على بعد موتى وذلك من حفر ابار فى ديار المسلمين او بناء مسجد وماء سبيل او دار ايتام ،وشهد على تعريف الموصيه نوره واقرارها بذلك كل من السيد / فيصل محمد مراد اكبر البلوشى ( كويتى الجنسية ) يحمل الجنسية الكويتية رقم ( ١٠١٧٢٤٠٨٠ ) والسيد / خالد عبد الله عبد الله العزاز ( كويتى الجنسية ) يحمل بطاقة مدنية رقم ( ٢٦٦٠٤١٠٠٠٢٢٤ ) وبناء على طلبها حرر هذا الاعـلام .

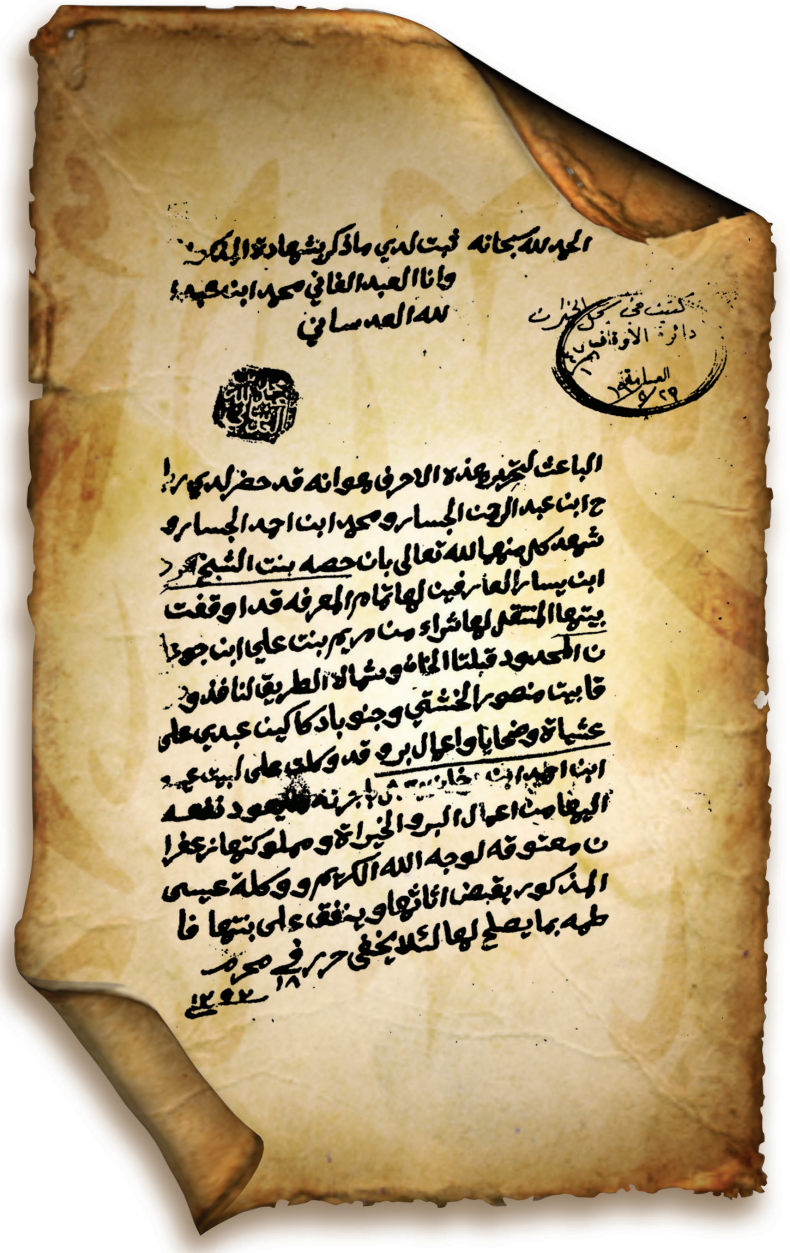
حرر بمعرفتى /

القاضـــى / عبد المصطفى النشاب .

الباحثـــه / عائشه العفاسي .

القاضى ادارة التوثيقات الشرعية


دولة الكويت
إدارة المالية
دائرة التسجيل العقاري
عقد عرض مفقود
صورة طبق الأصل
التسجيل النهائي





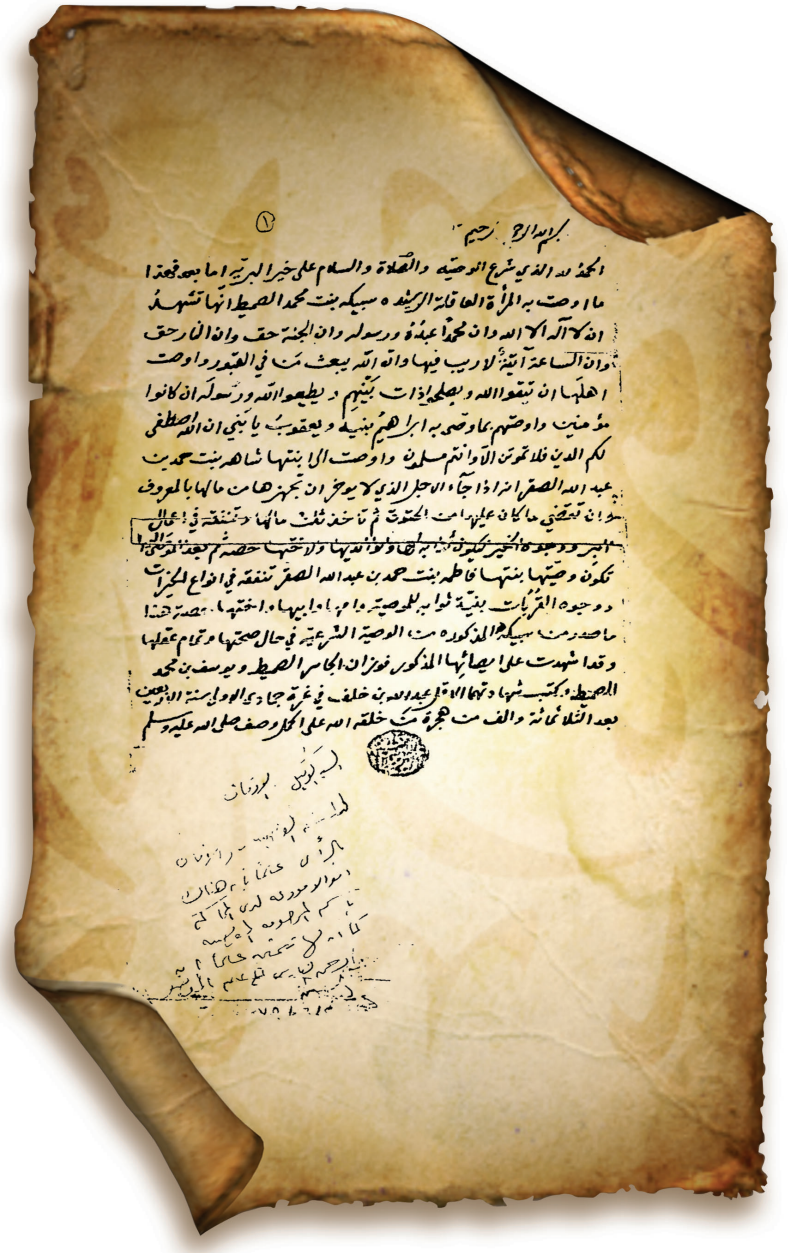
رقم ٨٢
تاريخ ٧ ذى الحجة ١٣٧٤
الموافق ٢٧ يوليه ١٩٥٥

حكومة الكويت

المحكمة الشرعية الكبرى
الكويت

# اعلام رسمي

بتاريخ اليوم الاربعاء ٢٠ ذى القعده ١٣٧٤ الموافق ٢٠ يوليه ١٩٥٥ . وبناء على طلب السيده الشيخه موضي المبارك الصباح انتقل حضرة المحكمة الشرعية الكبرى في الكويت الموقع ادناه الى قصر الشيخة الموى اليها اعلاه لتحرير وصيتها الشرعيه وقد حضر لتعريف ذاتها والشهاد: ن اقوالها كل من محمد بن هجاج العتيبي وحمزه عباس القاسم انشأت قائلة : اني موضي المبارك الصباح اقرر وانا في اتم الصحة عقلا وبدنا طائعة مختاره بأن الوصي على تركتي من جميع مخلفاتي هو مبارك الحمد المبارك الصباح يصرفه في وجوه الخيرات والمبرات من اشباع جائع وكسوة عاري وايواء ارملة ويتيم واسعاف مريض ومساعدة منكوب وغير ذلك مما يعود نفعه لي بعد مماتي وفوضت له ان يقيم على صرف مايتبقى لديه منه من يراه صالحا من ذريتي من بعدي والله يتولى رعايتنا جميعا في الدنيا والاخره . وسجل ذلك في دفتر القراراك والشهادة الخارجي بتاريخ ٢٠-٧-١٩٥٥م رقم ٢١ جلد (٢) . وبناء على مأذونية من الرئاسة في ١٢-٧-١٩٥٥ حرر هذا الاعلام بتاريخ ورقم اعلاه ٥٠ قاضي المحكمة الشرعية



بسم الله الرحمن الرحيم ①

الحمد لله الذي شرع الوصية والصلاة والسلام على خير البرية اما بعد فهذا
ما اوصت به المرأة العاقلة الرشيدة سبيكة بنت محمد الصيط انها تشهد
ان لا اله الا الله وان محمداً عبده ورسوله وان الجنة حق وان النار حق
وان الساعة آتية لا ريب فيها وان الله يبعث من في القبور واوصت
اهلها ان يتقوا الله ويصلحوا ذات بينهم ويطيعوا الله ورسوله ان كانوا
مؤمنين واوصتهم بما وصى به ابراهيم بنيه ويعقوب يا بني ان الله اصطفى
لكم الدين فلا تموتن الا وانتم مسلمون واوصت الى ابنتها شاهة بنت حمد بن
عبد الله الصقر انها اذا جاء الاجل الذي لا بد منه ان تجهزها من مالها بالمعروف
وان تقضي ما كان عليها من الحقوق ثم تأخذ ثلث مالها وتنفقه في اعمال
البر ووجوه الخير كثيرة [illegible] والاخت حصتها بعد موتي الى
تكون وصيتها بنتها فاطمة بنت حمد بن عبد الله الصقر تنفقه في انواع الخيرات
ووجوه القربات بنية ثواب الوصية وامضاء ما اوصيها واختها حصرة هذا
ما صدر من سبيكة المذكورة من الوصية الشرعية في حال صحتها وتمام عقلها
وقد شهدت على ايصائها المذكور فوزان الجاسر الصيط وعيسى بن محمد
الصيط وكتب شهادتهما الاثنين لعبد الله بن خلف في غرة جمادى الاولى سنة الاربعين
بعد الثلاثمائة والف من هجرة من خلقه الله على الكمال ووصف صلى الله عليه وسلم

نموذج رقم ١/١٢٥

بسم الله الرحمن الرحيم

رقم ٣

التاريخ ٢ رمضان ١٤٠٣هـ

الموافق ١٣/٦/١٩٨٣م

وزارة العدل

**اعلام رسمي**

حضرت لدى المحكمة الكلية ادارة التوثيقات الشرعية منيرة أحمد محمد العويضي تحمل جنسية كويتية رقم ٣٥٨٥٤ صادرة بتاريخ ١٥/٧/١٩٦٢م وأقرت وهي في حال صحتها وكمال عقلها قائلة اني أوقفت ثلثي من جميع مخلفاتي بما فيه ثمني في البناية المملوكة لي بالمشاع مع والدتي عائشة عبدالرحمن الدليجان وشقيقتي لولوة أحمد محمد العويضي والموصوفة بالقسيمة رقم ١٩٢ من مخطط التقسيم للقسيمة رقم ١ من المخطط م/ ١٨٧٩١ قطعة ٦ ومساحتها ٧٥٠م٢ الواقعة في السرة وقفا صحيحا نافذا وقد عينت الواقفة منيرة نفسها ناظرة على هذا الوقف طوال حياتها ثم تنتقل النظارة بعد وفاتها الى وزارة الأوقاف والشئون الاسلامية على أن تقوم وزارة الأوقاف بايداع هذا الثلث في بيت التمويل وتقوم باستلام الأرباح المترتبة على هذا الايداع سنويا وتسليمها الى الجمعية الكويتية لرعاية المعوقين الكائنة حاليا بشارع القاهرة في حولي وشهد على تعريف الواقفة منيرة واقرارها بذلك كل من أسامة عبدالله أحمد محمد العويضي يحمل جنسية كويتية رقم ١٤٨٠٣٩ صادرة بتاريخ ٢٥/٦/١٩٨٠م وعباس حسين أحمد الشطي يحمل جنسية كويتية رقم ٧٩٨ صادرة بتاريخ ١٣/٧/١٩٦٠م وبناء على طلب الواقفة منيرة المذكورة حرر هذا الاعلام .

حرر بمعرفتي : نورة

القاضي : أحمد العبدالله

الكاتب :

## بسم الله الرحمن الرحيم

### حجـة وقـــف

الحمـد للـه الواقف علـى الضمائـر ، العالـم بالسرائـر ، القائـل في محكـم كتابـه ﴿ **فمن يعمل مثقال ذرة خيرا يره ومن يعمل مثقـال ذرة شرا يره** ﴾ والصلاة والسلام على خاتم الانبياء وسيد المرسلين معلم البشرية الخـير الى يـوم الديـن الـذي علمنـا بقولـه **( اذا مات ابـن آدم انـقطع عمله الا من ثـلاث صدقـة جارية أو علم ينـتفع بـه أو ولد صالح يدعو له )** ٠

وأنه انطلاقا من حب الاجر والثواب من الله تعالي اقر أنا / موضي سلطان العيسى – كويتية الجنسية وأنا بكامل صحتي وعقلي بأني وقفت مبلغا وقدره خمسون ألـف دينـار كويتي على دعم طلبة العلم وجعلت النظارة على وقفي للامانة العامة للاوقـاف تديـره وترعى مصالحه بما يحقق استمراريته وبقائه وقفا صحيحـا شـرعيا لا يـورث ولا يوهـب فمن بدله من بعد ما سمعه فانما اثمه على الذين يبدلونه جرا في ٤ رجب ١٤١٦ الموافق ٢٦ نوفمبر ١٩٩٥ ٠

المقـــر بمـــا فيـــــه
موضـــي سلطان العيسى

الشاهد الاول : علـــي صـــالح العبـــدالله

الشاهد الثاني : بدر عبداللطيف بن ناجي

بسم الله الرحمن الرحيم

وزارة العدل

ادارة التوثيقات الشرعية

الرقم / ٥٠

التاريخ / ١٨/٦/٢٠٠١

الموافق /

# حجة وقف

الحمد لله رب العالمين ، والصلاة والسلام على خاتم الأنبياء والمرسلين ، وأشهد أن لا اله إلا الله وحده لا شريك له القائل « **فمن يعمل مثقال ذرة خيرا يره ومن يعمل مثقال ذرة شرا يره** » وأشهد أن سيدنا محمداً عبده ورسوله معلم الخير حيث قال « **إذا مات ابن آدم انقطع عمله إلا من ثلاث صدقة جارية أو علم ينتفع به أو ولد صالح يدعو له** »

فانه في يوم الأربعاء الموافق ١٨/٧/٢٠٠١م انتقلت أنا قاضي ادارة التوثيقات الشرعية / **أحمد عبدالرحمن العبيدان** الى مركز حسين مكي جمعه في منطقة الصباح الصحية حيث ترقد السيدة الفاضلة / **دلال عبدالله العجيل** بطاقة مدنية رقم ( ٢٣٧١٢٠٩٠٠٠١٧ ) وأقرت وهي سليمة العقل والميز بأنها وقفت وحبست مبلغ ( **خمسة وعشرون الف ديناراً كويتياً** ) وقفاً ينفق من ريعه على كفالة دعاة الى الله في لجنة التعريف بالاسلام وذلك بنظارة الأمانة العامة للأوقاف بحيث تستثمر الأمانة هذا المبلغ بطريقة شرعية مأمونة في شراء حصة عقارية ضمن عقار ثابت وتنفق ريعه على الجهة المذكورة وقفاً صحيحاً شرعياً لا يباع ولا يورث ولا يوهب ، وقد شهد على اقرار المذكورة بالوقفية كل من :

١ ) نواف عبدالمحسن العجيل - يحمل بطاقة مدنية ٢٧٨٠٧٢٧٠٠٤٧٥

٢ ) عماد يوسف عبدالرحمن الشويب - يحمل بطاقة مدنية ٢٧٣١٢١١٠٠٤٣١

قاضي ادارة التوثيقات الشرعية

**القاضي** : د. عادل العميلي

**الباحث** : خليج

بسم الله الرحمن الرحيم

وزارة الاوقاف والشؤون الاسلامية
الكويت – الخليج العربي
ادارة شئون الوقف

هاتف
الوزير ٣٥٥٦٠
وكيل الوزارة ٣٥٤٥٣
البدالة ٣٣٨٤٩ ، ٢٢٠٨٨
ص . ب – ١٣

التاريخ ..... الموافق ..... الرقم .....

**نقل طبق الاصل عن حجة الايقاف الصادره من فاطمه حمد الحجيلي**

**الحمد لله سبحانه**

ثبت كما ذكر لدى وانا العبد الفاني محمد ابن عبدالله العدساني الشهب الداعي الى تحرير هذه الاحرف الشرعيه هو انه قد حضرت لدى فاطمه بنت حمد الحجيلي واثبت واعترفت وهي في حال صحتها وكمال عقلها بأنها وقفة بيتها المحدود قبلتا الطريق النافذ وشمالا بيت سلطان ابن محمد ابن صقر وشرقا بيت حمد ابن سند وجنوبا الطريق النافذ على بنتيها منيره ونوره بنات مبارك وولدها فهد ابن محمد على ان يضحون لها ويتصدقون عنها كما يفعل الاحياء للاموات والبيت بينهم اثلاثا لا يزيد الولد على البنت ومن بعد البنات على ذرية الولد خاصه وليس لذرية البنات شيء وقفا صحيحا شرعيا فمن بدله بعد ما سمعه فانما اثمه على الذين يبدلونه لئلا يخفى جرا وحرر في ٣٠ جماد الاول ١٢٨٥ هـ وشهد على ذلك ملا محمد ابن ملا حسين واخوه ابن ملا حسين لئلا يخفى .

نموذج رقم ٣٧ / ش و


الحمد لله سبحانه

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- The first seminar was organized by KAPF in collaboration with the IBD Islamic Institute for Research and Training in Kuwait on Shaaban, 1424 AH / Oct 2004 AD and researches and papers were presented
- The second Waqf Jurisprudential Issues Forum was organized by KAPF in collaboration with the IBD Islamic Institute for Research and Training in Kuwait on Rabie Thani, 1426 AH /May 2006 AD and researches and papers were presented

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